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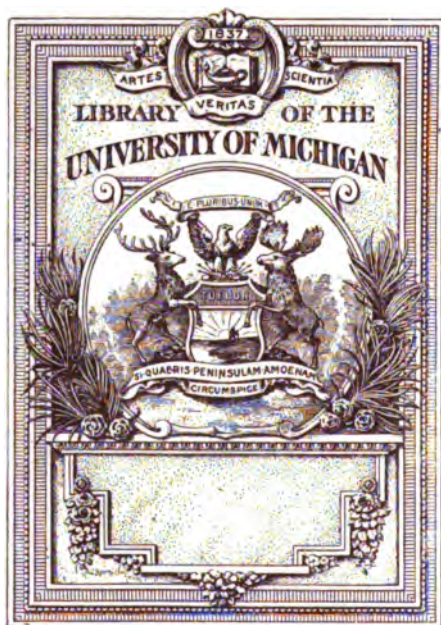
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JOURNAL

OF

THE SENATE

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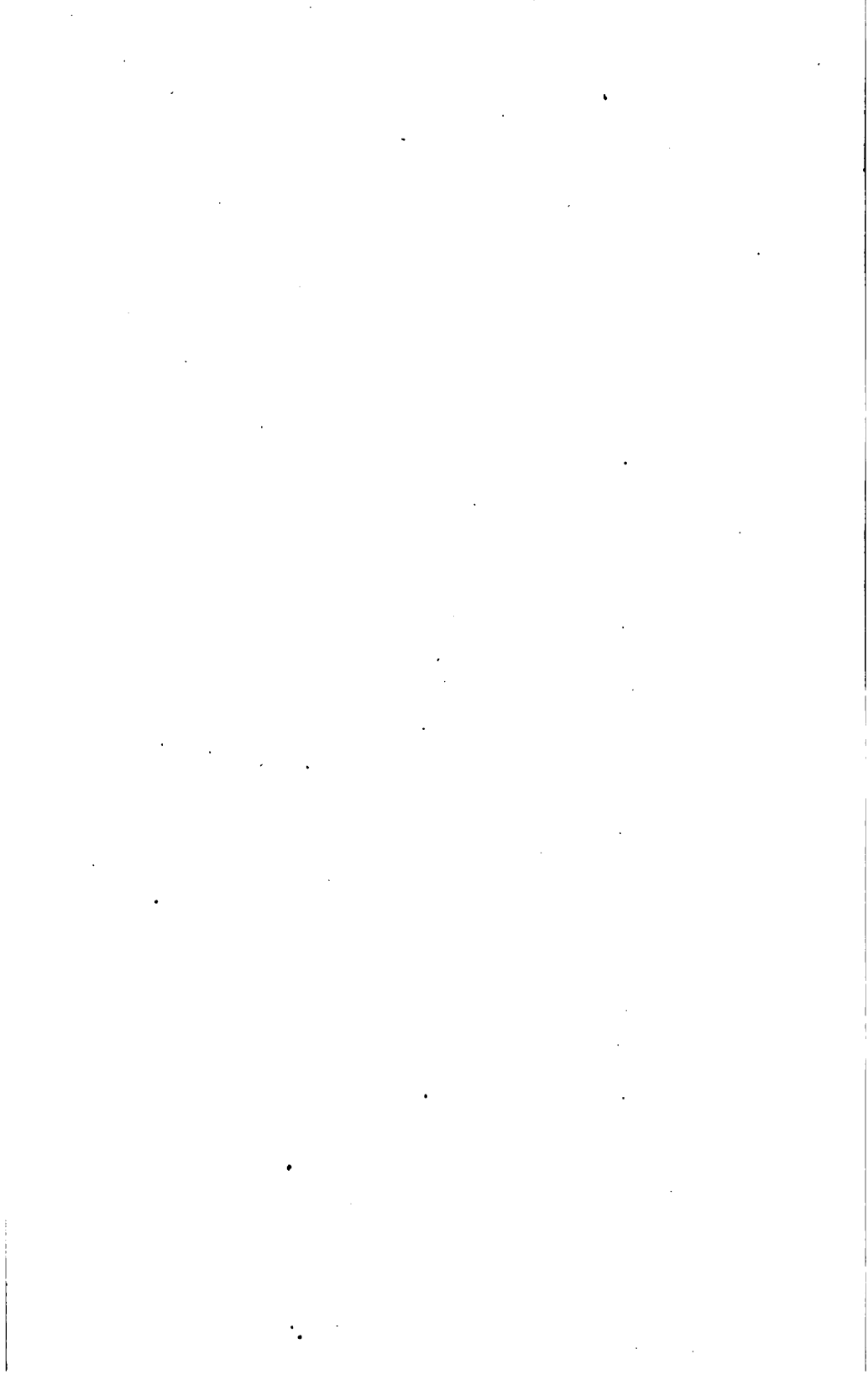
SIXTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

WHICH CONVENEED AT THE CAPITOL AT DES MOINES, JANUARY 10, 1876.

DES MOINES:
R. P. CLARKSON, STATE PRINTER.
1876.



SENATE JOURNAL.

SENATE CHAMBER, }
DES MOINES, IOWA, January 10th, 1876. }

Pursuant to law, the Senate, of Sixteenth General Assembly of the State of Iowa, convened at 2 o'clock, P. M., and was called to order by Lieutenant-Governor Joseph Dysart.

Prayer by Rev. Mr. Murphy.

On motion of Senator Cooley, J. A. T. Hull, of Davis county, was elected Temporary Secretary.

Senator Larrabee moved that T. W. Fawcett be elected Temporary Sergeant-at-Arms, which was agreed to.

Senator Young moved that W. R. Roberts of Union county, be elected Second Assistant Temporary Secretary. Senator Gilmore moved that Mr. Rice, of Mahaska county be elected to that office.

Senator Wood moved that R. B. Baird, of Muscatine county be elected for the same office.

On motion of Senator Shane, the office of Temporary Second Assistant Secretary was dispensed with.

Senator Rothert, nominated I. J. Dodd as Temporary Door-Keeper.

Senator Graham nominated J. L. Gilman of Warren county, and Senator Mitchell nominated Mr. Morgan of Polk county, for same office.

Senator Shane moved that the vote be by ballot, which was disagreed to.

The vote being first taken on I. J. Dodd, he was elected Temporary Door-Keeper of the Senate.

Senator Woolson moved that Mrs. E. M. Elliott, of Henry county, be elected Temporary Postmaster of the Senate.

Senator Willett nominated Miss Johnson, of Winneshiek county, for same office.

Senator Shane nominated Miss Smith, of Van Buren county, for same office.

The vote being first taken on the nomination of Mrs. Elliott, she failed to receive a majority of the Senators voting.

Miss Johnson was then voted for and elected Temporary Postmaster of the Senate.

Senator Campbell nominated Mrs. A. E. Baker, of Jasper county as Temporary Assistant Postmaster.

Senator Rothert nominated Miss Smith, of Van Buren county, for same office.

A vote being taken, Miss Smith was declared duly elected.

Senator Rumple nominated James Dinwiddie, of Iowa county, as Temporary Janitor of the Senate.

Senator Williams nominated George Johnson, of Polk county, for same office.

A vote being taken Mr. Johnson was declared duly elected.

On motion of Senator Cooley, Howard Hare, Fred Moore and Frank Brady were chosen Temporary Messengers.

Senator Shane moved that a committee of three be appointed, by the Chair, on credentials, which was agreed to, and Senators Willett, Campbell and Merrell, of Clinton, were appointed such committee.

The roll of Senators holding over was called, and the following found to be present:

- 1st District—Henry W. Rothert.
- 2d District—James B. Pease.
- 10th District—J. Wilson Williams.
- 13th District—Joseph H. Merrill.
- 14th District—Hosea N. Newton.
- 16th District—Henry Thornburg.
- 17th District—Lafayette Young.
- 21st District—Gilbert H. Wood.
- 22d District—Jeremiah H. Murphy.
- 23d District—N. A. Merrell.
- 27th District—Frank T. Campbell.
- 28th District—Thomas Mitchell.
- 29th District—Elias Jessup.
- 31st District—George W. Lovell.
- 35th District—Dennis N. Cooley.
- 38th District—John Conaway.
- 42d District—George R. Willett.
- 44th District—Edward G. Miller.
- 48th District—Hiram Bailey.
- 50th District—George D. Perkins.

The roll of newly elected Senators was then called, and the following presented their credentials.

- 3rd District—Horatio A. Wonn.
- 4th District—Joshua Miller.
- 5th District—Henry L. Dashiell.
- 6th District—Samuel L. Bestow.
- 7th District—Fred Teale.
- 8th District—Alfred Hebard.
- 9th District—George F. Wright.
- 11th District—John S. Woolson.
- 12th District—Moses A. McCoid.
- 15th District—William Wilson.
- 18th District—Thomas R. Gilmore.
- 19th District—John L. McCormack.
- 20th District—William Graham.
- 24th District—Henry C. Carr.
- 25th District—Ezekiel Clark.
- 26th District—John N. W. Rumble.
- 32nd District—Stephen L. Dows.
- 33rd District—John Shane.
- 34th District—Delos Arnold.
- 36th District—Lewis G. Hersey.
- 37th District—Merrit W. Harmon.
- 39th District—John T. Stoneman.

40th District—William Larrabee.

41st District—Samuel H. Kinne.

43rd District—Arad Hitchcock.

45th District—William H. Gallup.

46th District—Lemuel Dwelle.

47th District—Eldin J. Hartshorn.

Absent : 30th District—William A. Maginnis.

49th District—Samuel D. Nichols.

On motion of Senator Jessup, the Senate adjourned until 10 o'clock, to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, January 11th, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Granger W. Smith.

Journal of yesterday read and approved.

Senator Willett from Committee on Credentials, submitted the following report :

To the President of the Senate:—Your Committee on Credentials beg leave to report that they have examined the credentials of the following named Senators, and find them correct :

3rd District—Horatio A. Wonn.

4th District—Joshua Miller.

5th District—Henry L. Dashiell.

6th District—Samuel L. Bestow.

7th District—Fred Teale.

8th District—Alfred Hebard.

9th District—Geo. F. Wright.

11th District—John S. Woolson.

12th District—Moses A. McCoid.

15th District—William Wilson.

18th District—Thos. R. Gilmore.

19th District—John L. McCormack.

20th District—William Graham.

24th District—Henry C. Carr.

25th District—Ezekiel Clark.

26th District—John N. W. Ruple.

30th District—Wm. A. Maginnis.

32d District—Stephen L. Dows.

33rd District—John Shane.

34th District—Delos Arnold.

36th District—Lewis G. Hersey.

37th District—M. W. Harmon.

39th District—John F. Stoneman.

40th District—Wm. Larrabee.

41st District—Samuel H. Kinne.

43rd District—Arad Hitchcock.
45th District—W. H. Gallup.
46th District—Lemuel Dwelle.
47th District—E. J. Hartshorn.
49th District—Samuel D. Nichols.

G. R. WILLETT,
F. T. CAMPBELL,
N. A. MERRELL.

The newly elected Senators then took and subscribed to the following oath: You and each of you do solemnly swear to support the Constitution of the United States and the Constitution of the State of Iowa, and that you will faithfully discharge the duties of Senator to the best of your ability.

Senator Cooley moved that the Senate proceed to the election of permanent officers, which motion prevailed.

Senator Cooley nominated J. A. T. Hull, of Davis county, for Secretary.

Senator Kinne nominated Theo. Natchway, of Allamakee county, for same office.

The roll was then called.

Those voting for J. A. T. Hull were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumple, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—41.

Those voting for Mr. Natchway were:

Senators Kinne, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, Wilson, and Wonn.—9.

Mr. Hull having received a majority of all the votes cast was declared duly elected Secretary of the Senate.

Senator Shane nominated A. T. McCargar of Worth county, for First Assistant Secretary.

Senator Pease nominated Arthur McDonald of Van Buren county, for the same position.

The roll was then called.

Those voting for Mr. McCargar were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumple, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—40.

Those voting for Mr. McDonald were:

Senators Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, Wilson and Wonn.—10.

Mr. McCargar having received a majority of the votes cast was declared duly elected First Assistant Secretary.

Senator Wood nominated R. B. Baird of Muscatine county, for Second Assistant Secretary.

Senator McCormack nominated H. S. Bousquet for the same office.

Those voting for Mr. Baird were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.

Those voting for Mr. Bousquet were :

Senators Kinne, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, Wilson, and Wonn.

R. B. Baird, having received a majority of all the votes cast, was declared duly elected Second Assistant Secretary.

Senator Larrabee nominated E. H. Kinyon, of Fayette county, for Sergeant-at-Arms.

Senator Merrell, of Clinton, nominated Jos. B. Bissell, of Clinton county, for the same office.

Those voting for Mr. Kinyon were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—40.

Those voting for Mr. Bissell were:

Senators Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, Wilson, and Wonn.—10.

Mr. Kinyon having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

Senator Harmon nominated Miss S. M. Hollett of Buchanan county, for Enrolling Clerk.

Senator Stoneman nominated Miss Ellen Mead of Howard county, for the same office.

The roll was then called.

Those voting for Miss Hollett were :

Senators, Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—41.

Those voting for Miss Mead were :

Senators Kinne, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, Wilson, and Wonn.—9.

Miss Hollett having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the Senate.

Senator Williams nominated Miss Hattie Raybourne of Dallas county, for Engrossing Clerk.

Senator Wonn nominated Mrs. Alvin Lamb of Lucas county, for the same office.

Those voting for Miss Raybourne were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—41.

Those voting for Mrs. Lamb were :

Senators Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Stoneman, Wilson and Wonn.—9.

Miss Raybourne having received a majority of all the votes cast was declared duly elected Engrossing Clerk of the Senate.

Senator Teale nominated Jas. H. Rodgers, of Decatur county, for Door-Keeper.

Those voting for Mr. Rodgers were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young.—41.

The following Senators voted for Henry Warden, of Clayton county.

Those voting for Henry Warden were :

Senators Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Stoneman, and Wonn.—9.

Mr. Rodgers was then declared duly elected Door-Keeper of the Senate.

Senator Cooley nominated Geo. Johnson of Polk county for Janitor.

Senator Murphy nominated Jas. Dinwiddie of Iowa county for the same office.

Those voting for Mr. Johnson were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young.—41.

Those voting for Jas. Dinwiddie were :

Kinne, McCormack, Maginnis, Merrell of Clinton, Murphy, Rumble, Stoneman, Wilson, and Wonn.—9.

Mr. Johnson was declared duly elected Janitor of the Senate.

RESOLUTIONS.

Senator Jessup offered the following resolution which was agreed to.

Resolved, That Mrs. J. M. Dixon, and Miss Annie Christy, be appointed paper folders ; and that Fred. Moore, Frank Brady, and Harry I. Lewis, be appointed messengers.

Senator Shane offered the following :

Resolved, By the Senate the House concurring, That Miss Anna P. Smith, be elected Postmaster, and Mrs. A. E. Baker, be elected Assistant Postmaster of the Sixteenth General Assembly.

Senator Miller of Black Hawk, moved to strike out the words "Mrs. A. E. Baker," and insert the words "Mary H. Johnson." Which was agreed to.

The resolution was thus agreed to.

Senator Willett offered the following concurrent Resolution, which was adopted :

Resolved, By the Senate, the House concurring, that J. D. McGarragh, be elected Mail Carrier of the General Assembly.

Senator Cooley moved that the rules of the Fifteenth General Assembly be adopted by the Sixteenth General Assembly, until otherwise ordered.

Senator Miller of Black Hawk offered the following amendment : Add to the motion the words :

Resolved, That in place of the committees on Schools, Normal Schools, University and Agricultural College, there be appointed a standing committee on Education to consist of eleven members.

The amendment did not prevail.

Senator Rothert moved to amend as follows :

Resolved That a committee on Cities and Towns be added to the list of standing committees of the Senate.

Senator Merrell, of Clinton, moved to amend the amendment as follows : Strike out all after the word "Resolved" and insert "That in the appointment of standing committees of the Senate, the committee on Incorporations be dispensed with, and in lieu thereof there be appointed a committee on Municipal Incorporations." Which was agreed to, and the motion of Senator Cooley as amended was adopted.

Senator Rothert offered the following resolution which was adopted:

Resolved, That Theodore Schreiner, of Henry county, be and is hereby appointed Assistant Door-Deeper of the Senate.

Senator Young moved that a committee of three be appointed to notify the Governor that the Senate is now organized and ready to proceed to business. The motion prevailed, and the President appointed Senators Young, Shane, and Cooley, such committee.

Senator Larrabee moved that a committee of two be appointed to inform the House, that the Senate is organized and ready to proceed to business, which prevailed, and Senators Larrabee, and McCormack, were appointed as such committee.

By leave Senator Murphy offered the following joint resolution :

Joint Resolution proposing certain amendments to State Constitution relative to Public Fund.

Read first and second time.

Senator Campbell moved that the joint resolution be printed and referred to Committee on Constitutional Amendments when appointed.

Senator Murphy moved the rules be suspended and the joint resolution read a third time now.

On this question the yeas and nays were demanded, and the yeas were:

Senators Kinne, McCormack, Murphy, Pease, Stoneman, and Wonn.
—6.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young.—44.

So the motion to suspend the rule did not prevail.

The motion to print and refer the joint resolution was adopted.

The committee appointed to notify the House that the Senate was organized and ready for business, reported that they had performed that duty, and were discharged.

COMMUNICATION FROM THE GOVERNOR.

The following communication from the Governor was presented to the Senate by the President.

STATE OF IOWA, EXECUTIVE DEPARTMENT. }
DES MOINES, January 11, 1876. }

HON. JOSEPH DYSAERT, *President of the Senate.*

DEAR SIR: The Governor directs me to transmit you, as I do herewith, the inclosed communication from the manager in this city of the Western Union Telegraph Office, which, as you will observe, he wishes read for the benefit of the members of the Senate.

Very respectfully yours,

ARTHUR R. BURKHOLDER,

Governor's Secretary.

To C. C. CARPENTER, *Governor:*

DEAR SIR: Would you kindly notify the House and Senate for me that we will frank each individual member's own personal and social messages back and forth during their absence from home.

Yours respectfully,

A. B. GUNN, *Manager W. U. Telegraph Co.*

DES MOINES, January 10, 1876.

RESOLUTIONS.

The following resolution, offered by Senator Shane, was adopted.

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a copy of the Code of 1873, and also with a copy of the laws of the Fifteenth General Assembly.

The committee appointed to wait upon the Governor and inform him that the Senate was organized and ready for business, reported that duty performed, and the committee were discharged.

Senator Murphy offered the following concurrent resolution:

WHEREAS, A bill has been introduced into Congress by Representative Blaine, proposing an amendment to the constitution of the United States: "That no State shall make any law respecting the establishment of religion, or prohibiting the free exercise thereof; and also providing that no taxes, except on public lands set aside for public schools, shall ever be under the control of any religious sect, and that no such monies or lands shall be divided among any religious sects or denominations;" therefore

Be it resolved by the Senate, the House of Representatives concurring, That we instruct our Senators and Representatives in Congress to use all honorable means in their power to secure said amendments to the constitution of the United States.

On motion of Senator Larrabee the resolution was ordered printed and referred to committee on constitutional amendments, when appointed.

On motion of Senator Rothert, at 11:15, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 12, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. Granger W. Smith.

Journal of yesterday read and approved.

A committee from the House reported that body organized and ready to proceed to business.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Mr. President: I am directed to inform your honorable body that the House of Representatives has passed the following resolution, in which concurrence of the Senate is asked.

Resolved by the House, the Senate concurring, That the House will meet the Senate in this hall in joint convention for the purpose of canvassing the vote for Governor and Lieutenant Governor, on Wednesday, January 12, at 10:30 A. M.

BENJ. VAN STEINBURG,
Assistant Clerk.

On motion of Senator Shane, House Messages were taken up, considered, and the Senate concurred in the resolution just reported from the House.

RESOLUTION.

Senator Shane offered the following resolution, which was agreed to:

Resolved by the Senate, the House concurring, That a committee of five be appointed, two on the part of the Senate, and three on the part of the House, to enquire into the cost and expediency of procuring phonographic reports of the proceedings of this general assembly, and the printing of the same, for the use of the members, and to report by bill or otherwise.

Senator Rumble was appointed teller on the part of the Senate, in joint convention, for canvassing the vote for Governor and Lieutenant-Governor.

The Governor's Biennial Message was presented by his Private Secretary, W. H. Fleming.

Senator Willett moved that the reading of the message be dispensed with.

Motion adopted.

Senator Cooley moved that the message lie upon the table and that there be printed three thousand copies of it.

The motion prevailed.

On motion of Senator Dwelle, First-Assistant Secretary McCargar was granted leave of absence until Saturday morning.

INTRODUCTION OF BILLS.

By Senator Shane: S. F. No. 1, A bill for an act to regulate the taxation of costs.

Read first and second time and referred to Committee on Judiciary.

By Senator Rumble: S. F. No. 2, A bill for an act to define the crime of swindling and to punish the same.

Read first and second time, ordered printed and referred to Committee on Judiciary.

Senator Pease moved that a committee of three be appointed on Mileage.

The motion was agreed to, and the President appointed Senators Pease, Rumble and Stoneman such committee.

At 10:25, on motion of Senator Shane, the Senate took a recess of five minutes.

At 10:30, the Senate was called to order by the President.

A committee from the House reported the House ready to receive the Senate in Joint Convention.

The Senate proceeded to the Hall of the House.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12, 1876. }

Senate and House of Representatives in Joint Convention.

Lieutenant-Governor Joseph Dysart in the chair, who called the Joint Convention to order, and announced that the convention had met to canvass the votes for Governor and Lieutenant-Governor of the State

of Iowa, and to declare the result, and that Senator Rumple had been appointed teller on the part of the Senate.

The Speaker announced that Mr. Case of Bremer county had been appointed teller on the part of the House.

The President of the Joint Convention proceeded to announce the votes of the several counties of the State, pending which, on motion of Mr. Dixon of Wapello, the Joint Convention took a recess until 2:00, P. M.

TWO O'CLOCK, P. M.

Joint Convention called to order by the President, and the canvass of the vote was proceeded with.

Senator Harmon of Buchanan county, moved that the vote of Buchanan county be changed to correspond with the certificate of the county auditor.

The motion prevailed, and the canvass was proceeded with.

The President then announced the following as the result of the canvass:

FOR GOVERNOR.

Whole number of votes cast.....	218,912
Of which S. J Kirkwood received.....	124,801
Of which Shepherd Leffler received.....	93,270
Scattering	841

FOR LIEUTENANT-GOVERNOR.

Whole number of votes cast.....	218,992
Of which Joshua G. Newbold received....	125,717
Of which Emmet B. Woodard received.....	92,844
Scattering	431

Whereupon the President declared Samuel J. Kirkwood duly elected Governor of the State of Iowa for the term of two years, and Joshua G. Newbold duly elected Lieutenant-Governor of the State of Iowa, for two years, they having received a majority of the votes cast at the election in October last (1875), and certificates of their election were read and signed as follows:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12th, 1876. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1875, for the office of Governor of

State of Iowa, it appeared that Samuel J. Kirkwood received a majority of all the votes cast at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 12th day of January, A. D., 1876.

JOSEPH DYSART,

President of the Senate and President of the Joint Convention.

JOHN H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. N. W. RUMPLE,

Teller of the Senate.

LOUIS CASE,

Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 12, 1876. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D., 1875, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Joshua G. Newbold received a majority of all the votes cast at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 12th day of January, A. D., 1876.

JOSEPH DYSART,

President of the Senate and President of the Joint Convention.

JOHN H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. N. W. RUMPLE,

Teller of the Senate.

LOUIS CASE,

Teller of the House.

RESOLUTION.

Mr. Clark, of Johnson, offered the following resolution, which was agreed to:

Resolved, That a committee of five, consisting of Senators Wright and McCormack, on the part of the Senate; and Messrs. Deweese, Rees, and Johnson of Benton, be appointed a committee to wait upon the Governor and Lieutenant-Governor elect, to notify them of their elections, and report to their respective houses, the pleasure of said officers elect, as to time of inauguration.

On motion of Mr. Stuart, of Jackson, the joint convention dissolved.

THREE O'CLOCK AND TWENTY-FIVE MINUTES, P. M.

The Senate having returned to its chamber, was called to order by the President.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has refused to concur in the Senate resolutions relative to Postmaster, Assistant-Postmaster and Mail Carrier, also that the House of Representatives has passed the following resolution, in which the concurrence of the Senate is asked.

Be it resolved by the House, the Senate concurring, That a committee of three from the House and three from the Senate be appointed on inauguration of the Governor elect; and that said committee be instructed to secure the use of the Opera House for holding Inauguration ceremonies, and to make such other arrangements as the committee may deem necessary.

BENJ. VAN STEINBURG,
Assistant Clerk.

On motion of Senator Shane House messages were taken up.

Senator Shane moved to strike out of concurrent resolution relative to Inauguration Ceremonies, all relating to the Opera House.

On this question the yeas and nays were demanded and the yeas were:

Senators Campbell, Clark, Dashiell, Harmon, Hebard, Hersey, Hitchcock, Jessup, Lovell, McCormack, Merrell of Clinton, Nichols, Perkins, Shane, Teale, Thornburg, Wilson, Wonn, Wood, and Young—20.

The nays were:

Senators Arnold, Bestow, Carr, Conaway, Dows, Dwelle, Gallup, Gilmore, Kinne, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Willett, Williams, and Wright—21.

Absent or not voting:

Senators Bailey, Cooley, Graham, Hartshorn, Larrabee, McCoid, Merrill of Wapello, Stoneman, and Woolson—9.

So the amendment did not prevail.

Senator Willett moved to amend by inserting the words "Lieutenant Governor" after the word "Governor," which motion prevailed.

The concurrent resolution as amended was then agreed to.

Senator Wright from the committee appointed by the Joint Convention to wait upon the Governor and Lieutenant Governor elect, reported that the committee had performed the duty assigned them and the hour of two o'clock to-morrow afternoon was the time agreed upon for the inauguration.

Senator Rothert moved to appoint a Committee of Conference on the disagreeing vote of the two Houses on the resolutions of Postmaster, Assistant Postmaster and Mail Carrier.

Senator Campbell raised a point of order, that the first question is, shall the Senate recede?

The chair decided the point of order well taken.

On the question shall the Senate recede the yeas and nays were demanded, and the yeas were.

Senators Bailey, Kinne, Murphy, Willett, and Wilson—5.

The nays were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Gallup, Gilmore, Harmon, Hebard, Hersey, Hitchcock, Jessup, Lovell, McCormack, Maginnis, Mèrrel of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumpel, Shane, Teale, Thornburg, Williams, Wonn, Wood Woolson, Wright, and Young—37.

Absent or not voting:

Senators Bailey, Cooley, Dwelle, Graham, Hartshorn, Larrabee, McCoid, Merrill of Wapello, and Stoneman—9.

So the Senate refused to recede.

Senator Campbell moved that a committee of three be appointed a Committee of Conference on the part of the Senate.

The motion was agreed to, and the chair appointed Senators Campbell, Wright, and Murphy such committee.

Senator Willett moved that the vote by which the Senate agreed to the House resolution relative to Inauguration be reconsidered, which was agreed to.

On motion of Senator Campbell, the Senate at 4:15, adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, }
DES MOINES, IOWA, JAN. 13, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. H. H. Oneal.

Journal of yesterday read, amended and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has appointed Messrs. McCartney, Shaw and Johnston of Dubuque, Conference Committee on the part of the House on Mail Carrier, and ask like committee on the part of the Senate.

Also, that the House concurred in Senate amendment to House resolution relative to the inauguration of Governor and Lieutenant-Governor.

BENJ. VAN STEINBURG,
Assistant Clerk.

COMMUNICATION FROM THE GOVERNOR.

The Governor by his Private Secretary, W. H. Fleming, presented to the Senate the following communication in writing:

STATE OF IOWA, EXECUTIVE DEPARTMENT. }
Des Moines, January 11, 1876. }

To the Senate and House of Representatives:—I have the honor to transmit herewith my report of Pardons and Reprieves.

C. C. CARPENTER.

There was also transmitted the report of the Reform School Investigating Committee.

RESOLUTION.

Senator Woolson offered the following resolution which was agreed to:

Resolved, That the Chamber of the Senate be tendered to the Iowa Peace Society on the evening of January 20th for the holding of a session of such society.

INTRODUCTION OF BILLS.

By Senator Murphy: S. F. No. 3, A bill for an act to amend section 240 of chapter 10, of the Code of Iowa and to prevent Brants, Ducks, Wild Geese and other vermin from feeding upon the State Treasury.

Read first and second time.

Senator Murphy moved to print the bill and refer it to the Committee on Judiciary. The motion was lost.

Senator Hartshorn moved to refer it to Committee on Game when appointed. The motion prevailed.

By Senator Campbell: S. F. No. 4, A bill for an act for the punishment of the players of three card monte and other confidence games, and of persons for selling on railroad trains, prize packages and other prizes.

Read first and second time and referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives herewith return Concurrent Resolution relative to inauguration of Governor and Lieutenant Governor elect.

BENJ. VAN STEINBURG,
Assistant Clerk.

MEMORIALS.

By leave, Senators Rumble, Young and Gallup presented memorials from their respective counties, relating to changes in the criminal statutes, so as to lessen the expenses of the counties in criminal cases, etc. The memorials were referred, without reading, to the Judiciary Committee.

HOUSE MESSAGES TAKEN UP.

On motion of Senator Willett, House messages were taken up.

Senator Larrabee moved to strike out of concurrent resolution, all relating to the Opera House for inauguration ceremonies.

The motion prevailed.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House of Representatives refuses to concur in the amendment of the Senate relative to holding the inauguration ceremonies in the Opera House.

BENJ. VAN STEINBERG,
Assistant Clerk.

On the question shall the Senate recede from its action on concurrent resolution relative to inauguration ceremonies at Opera House, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Carr, Cooley, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, McCoid, Miller of Black Hawk, Newton, Pease, Perkins, Rothert, Rumble, Teale, Willett, Williams, Wilson, and Woolson—23.

The nays were:

Senators Clark, Conaway, Dashiell, Hartshorn, Jessup, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Nichols, Shane, Stoneman, Thornburg, Wonn, Wood, and Young—20.

Absent or not voting:

Senators Bailey, Campbell, Dows, Dwelle, Kinne, Murphy, and Wright—7.

So the Senate receded from its action upon the concurrent resolution.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following resolution, in which the concurrence of the Senate is asked:

Resolution relative to meeting in Joint Convention for the purpose of inauguration of Governor and Lieutenant Governor.

BENJ. VAN STEINBURG,
Assistant Clerk.

On motion of Senator Shane, House Messages were taken up.

Senator Larrabee moved the Senate concur in the resolution.

The motion prevailed.

The President appointed as committee on the part of the Senate to confer with like committee from the House upon inauguration ceremonies, Senators Woolson, Maginnis and Gallup.

Senator Cooley moved to reconsider the vote by which the Senate concurred in House resolution relative to meeting in Joint Convention at 11:30 A. M.

The motion was agreed to.

Senator Woolson from the committee on the part of the Senate on inauguration ceremonies submitted the following report:

MR. PRESIDENT:—Your committee would report that the Joint Committee have secured the use of the Opera House at two o'clock, have secured music for the occasion, and made the other arrangements for the occasion.

J. S. WOOLSON, *Chairman.*

On motion of Senator Shane, the Secretary was requested to ask the House to return the resolution relating to inauguration ceremonies.

Senator Campbell from the Committee of Conference on the disagreeing vote of the two Houses on Postmaster and Assistant Postmaster submitted the following report:

MR. PRESIDENT:—The Committee of Conference on the disagreeing vote of the two Houses on Postmaster and Assistant Postmaster having met, after full and free conference, have agreed to report, and do report to their respective Houses as follows:

That the House recede from its appointment of Assistant Postmistress, and that the Senate recede from its appointment for the same position, and that Miss Mary H. Johnson and Mrs. Anna E. Smith be Postmistresses of the Sixteenth General Assembly.

Signed:

F. T. CAMPBELL,
GEO. F. WRIGHT,
J. H. MURPHY.

Managers on the part of the Senate.

RUSH CLARK,
WM. E. FULLER,
T. CRAWFORD.

Managers on the part of the House.

The report was adopted.

Senator Rothert moved, that when the Senate adjourn it be until 10 o'clock Monday morning.

On this question the yeas and nays were demanded, and the yeas were:

Senators Clark, Cooley, Gallup, Hersey, Hitchcock, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Nichols, Perkins, Rothert, and Wonn—14.

The nays were:

Senators Arnold, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Larrabee, Lovell, McCormack, Maginnis, Miller of Appanoose, Miller of

Black Hawk, Newton, Pease, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Wilson, Wood, Woolson, Wright, and Young—38.

Absent or not voting, Senators Bailey, Kinne, and Williams—3.

So the motion did not prevail.

Senator Larrabee moved that the Senate concur in House Resolution to meet in Hall of the House in Joint Convention at 11-30 A. M.

The motion prevailed.

Senator Larrabee moved to lay upon the table the House Resolution relative to the Opera House for Inauguation Ceremonies.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your Honorable Body that the House of Representatives has refused to concur in Senate amendment relative to Inauguration Ceremonies of Governor and Lieutenant Governor at the Opera House, and has appointed Messrs. Danforth, Dixon and Stone, Committee of Conference on part of the House, to confer with like committee on part of the Senate.

BENJ. VAN STEINBURG,

Assistant Clerk.

JOINT CONVENTION.

Senator Larrabee moved that a committee of two be appointed to notify the House that the Senate is ready to meet them in Joint Convention. The motion prevailed and the President appointed Senators Larrabee and Merrell of Clinton, such committee.

Senator Stoneman moved that when the Senate adjourned, it adjourn until 10 o'clock to-morrow morning.

Senator Cooley moved to amend by striking out to-morrow and inserting Monday. The amendment was lost.

The motion of Senator Stoneman was then adopted.

The committee appointed to notify the House that the Senate was ready to meet them in Joint Convention, reported that duty performed and were discharged.

At 11:30 A. M., the Senate proceeded to the Hall of the House.

HALL OF THE HOUSE OF REPRESENTATIVES.

The President of the Senate called the Joint Convention to order, and announced that the meeting of the Joint Convention was for the purpose of inaugurating the Governor and Lieutenant Governor elect.

Mr. Crawford, of Dubuque, moved that the Joint Convention take a recess until two o'clock this afternoon which was agreed to.

AFTER RECESS.

2 O'CLOCK P. M.

Joint Convention reassembled and was called to order by the President.

The Supreme, District and Circuit Judges, ex-Governors and ex-

Lieutenant Governors, State officers, and Clergymen of the city were invited to seats upon the platform.

The President announced Senator Cooley and Mr. Thayer, of Clinton, as a committee to wait upon the Governor and Lieutenant Governor elect and escort them to the Hall.

Music by the band.

The Sergeant-at-Arms announced the Governor and Lieutenant Governor elect who came into the Hall and took seats assigned them; the Mechanic's Band of Des Moines playing "Hail to the Chief."

INAUGURATION CEREMONIES.

Prayer by Rev. Dr. Murphy.

Music by the Band—"Listen to the Mocking Bird."

The oath of office was then administered to the Governor elect, Samuel J. Kirkwood, and to the Lieutenant Governor elect, Joshua G. Newbold, by Justice C. C. Cole.

Governor Kirkwood then delivered his Inaugural address.

Music by the band—"Serenade."

On motion of Senator Campbell the joint convention dissolved.

At 3:50 P. M. the Senate returned to its chamber.

On motion of Senator Shane, Senators Woolson and Conaway were appointed a committee to wait upon the Lieutenant Governor elect and to notify him that the Senate is now ready to induct him in the chair, and that said committee be further instructed to introduce him to the presiding officer of this body for that purpose.

The committee appointed to wait upon the Lieutenant Governor reported, by introducing Lieutenant Governor Newbold to the President of the Senate, who invited him to the chair.

The retiring Lieutenant Governor, Joseph Dysart, then addressed the Senate as follows:

SENATORS:—In the progressive order of events, the moment has come when I must retire from this position, and present to you my honored successor. Before I attempted to discharge its delicate and oft-times difficult duties, I earnestly solicited of you a charitable construction of my motives and acts; and now that I deem my obligations all fulfilled and the end of official routine is reached, it were ungenerous in me not to gratefully acknowledge that you more than granted my request.

During the brief session of the Fifteenth General Assembly there were many animated discussions of questions involving diverse interests, and on which, too, public sentiment seemed nearly equally divided, yet I recall no occasion when there was the slightest departure from the good order and the dignified bearing which should ever characterize the deliberations of the Senate of a great State.

Nearly fifteen years have gone since I first entered this hall, whose walls have echoed the voices of many of the ablest and purest legislators Iowa has yet produced. It was in the darkest days of our nation, in May, 1861. Of the good and true men who then occupied these seats, I see not a single countenance. The pleasant associations with them in the days when war was desolating our land, and with gentlemen of the same high and noble type in the Thirteenth, Fourteenth

and Fifteenth General Assemblies, many of whom are still before me, can never pass from my memory.

To you, and especially to those of you with whom I have longest been intimate, I must express my warmest thanks for your universal respect, patient submission to my rulings, whether right or wrong, and for your unmistakable good will, freely and courteously manifested.

I now introduce to you Lieutenant Governor Newbold, and bespeak for him like kind and magnanimous treatment.

With a full and abiding faith that we shall all meet again in the long hereafter in better and happier places, with the good, the true, and the faithful, I bid you one and all farewell.

Lieutenant Governor Newbold then addressed the Senate as follows :

Senators : You have been called from the different Senatorial districts of this State, by the voice of the people, expressed under the provisions of our constitution, to conserve the interests of your constituents, not by merely preserving or perpetuating the fair name of our noble State, but to aid in advancing beyond the present standard, the material interests and prosperity of our young and rapid growing commonwealth. They have explicitly declared by their suffrages, implicit confidence in your integrity and ability to carry out their known *will*, which is, or *should be*, the one great and fundamental principle of our government. By the same authority, and under the provisions of the same supreme law, I have been called to assist you in the discharge of your onerous duties, by presiding over the deliberations of your honorable body. It is not my province, nor would I venture to dictate, any course of action, as to the work that will come before you. From a personal acquaintance with, and a knowledge of, the members that compose this branch of the Sixteenth General Assembly, I have the strongest assurance that the people acted wisely in selecting their Senators, and that you *all* have the will and disposition to do your duty, and will prove yourselves equal to every emergency. As your presiding officer, I certainly realize that my position is not merely a post of honor, but of power and responsibility; the duties are arduous and delicate. Parliamentary law, rules, and rulings, in their nature are generally positive, and in effect *must be* in a greater or less degree instantaneous. The design however, of all our rules and forms, is to subserve the will of the Senate, rather than to restrain it; and my aim shall be to facilitate, and not to obstruct your proceedings. I have had little or no experience in this branch of the General Assembly, and will doubtless commit errors; but ask your kind indulgence and forbearance, and will always be ready and willing to take advice and counsel from those of you who are versed in parliamentary law. On taking the chair, I regard each and every one of you as a personal friend and will treat you as such. But I am sure that I will avoid any dividing line between duty and policy.

Senators, permit me upon this occasion to express through you the representatives of the people, my grateful acknowledgments for their generous support. Trusting that our official and personal relations will be of an amicable character, and the proceedings of this General Assembly harmonious and for the best interest of our State, I now receive the gavel, take the chair, and assume the responsibilities of the office.

RESOLUTION.

Senator McCormack offered the following resolution, which was adopted unanimously.

Resolved, That to the Hon. Joseph Dysart, the retiring Lieutenant Governor, the thanks of this Senate is due for his gentlemanly demeanor as our presiding officer for the last two years, and we tender to him in his again assuming the duties and station of a private citizen, our best wishes and kindest regards.

The President then handed the Secretary, who read the following list of the

SENATE STANDING COMMITTEES:

Ways and Means—Senators Larrabee, Merrill of Wapello, Nichols, Hebard, Harmon, Campbell, Gilmore, Pease, McCormack, and Wood.

Judiciary—Senators Willett, McCoid, Shane, Cooley, Rumble, Merrell of Clinton, Woolson, Wright, Nichols, Dashiell, Murphy, and Stoneman.

Federal Relations—Senators Perkins, Miller of Appanoose, Carr, Clark, Bestow, Bailey, and Maginnis.

Constitutional Amendments—Senators Dashiell, Jessup, Kinne, Hartshorn, Young, Gallup, and Merrell of Clinton.

Appropriations—Senators Shane, Rothert, Mitchell, Clark, Newton, Wonn, Hartshorn, Hitchcock, and Arnold.

Normal Schools—Senators Mitchell, Wonn, Dows, Lovell, Rumble, and Carr.

Schools—Senators Rothert, Miller of Black Hawk, Miller of Appanoose, Woolson, Dashiell, Bailey, Hebard, Harmon, and Jessup.

Agriculture—Senators Teale, Thornburg, Wonn, Wood, Bestow, Gilmore, Pease, Dwelle, and Hitchcock.

County and Township Organizations—Senators Conaway, Young, Williams, Hitchcock, Bailey, Wilson, and Dows.

Railways—Senators Campbell, Willett, McCormack, Pease, Graham, Williams, Perkins, Miller of Black Hawk, Kinne, Jessup, Young, Wood, and Conaway.

State University—Senators Clark, Murphy, Shane, Newton, Stoneman, Teale, and Cooley.

Military—Senators Miller of Black Hawk, McCormack, Nichols, Rumble, Harmon, and McCoid.

Elections—Senators Newton, Thornburg, Wonn, Dows, and Lovell.

Claims—Senators Hebard, Mitchell, Larrabee, Wilson, and Wood.

Banks—Senators Cooley, Larrabee, Clark, Murphy, and Hersey.

Commerce—Senators Merrill of Wapello, Campbell, Arnold, Dows, and Kinne.

Public Buildings—Senators Dows, Hebard, Hersey, Graham, and Bestow.

Municipal Corporations—Senators McCoid, Murphy, Wright, Cooley, and Rothert.

Manufactures—Senators Thornburg, Bailey, Dows, Wilson, and Williams.

Printing—Senators Young, McCormack, Gallup, Perkins, and Maginnis.

Public Lands—Senators Merrell of Clinton, Lovell, Wilson, Thornburg, and Graham.

Internal Improvements—Senators Hitchcock, Gilmore, Carr, Bestow, and Rothert.

Highways—Senators Williams, Pease, Harmon, McCoid, Bestow, Hersey, and Hitchcock.

State Library—Senators Gilmore, Gallup, and Conaway.

Engrossed Bills—Senators Young, Miller of Black Hawk, and Wonn.

Enrolled Bills—Senators Carr, Harmon, and Gallup.

Judicial Districts—Senators Hartshorn, Nichols, Wright, Miller of Appanoose, McCoid, Murphy, Perkins, Willett, and Stoneman.

Congressional Districts—Senators Miller of Appanoose, Campbell, Arnold, Merrill of Wapello, and Wilson.

Senatorial Districts—Senators Nichols, Perkins, Wright, Woolson, Dwelle, Conaway, Stoneman, Graham, and Hebard.

Representative Districts—Senators Bailey, Arnold, Hartshorn, Merrell of Clinton, Perkins, Hersey, and Gilmore.

Hospital for Insane—Senators Woolson, Harmon, Wilson, Conaway, and Maginnis.

Institution for Deaf and Dumb—Senators Wright, Wood, Young, Pease, and Teale.

College for the Blind—Senators Rumble, Shane, Merrell of Clinton, Merrill of Wapello, and Arnold.

Orphan's Homes—Senators Bestow, Jessup, Murphy, Miller of Black Hawk, and Maginnis.

Penitentiary—Senators Arnold, Rothert, Lovell, McCormack, and Mitchell.

Reform Schools—Senators Harmon, Pease, Jessup, Shane, and Conaway.

Agricultural College—Senators Gallup, Willett, Larrabee, Merrell of Clinton, Graham, Gilmore, and Mitchell.

Horticulture and Forestry—Senators Dwelle, Kinne, Maginnis, Teale, and Newton.

Suppression of Intemperance—Senators Jessup, Campbell, Dashiell, McCoid, Graham, Kinne, and Murphy.

Insurance—Senators Cooley, Dashiell, Clark, Stoneman, Carr, Willett, and Larrabee.

Compensation of Public Officers—Senators Hersey, Shane, Dows, Arnold, Campbell, Hebard, and Williams.

Fish and Game—Senators Graham, Merrill of Wapello, Hartshorn, Wood and Hitchcock.

Senator Stoneman move to reconsider the vote by which the Senate agreed, when it adjourned, to adjourn until ten o'clock to-morrow morning.

The motion was agreed to.

On motion of Senator Cooley, at 4:50, P. M., the Senate adjourned until Monday next, at two o'clock P. M.

SENATE CHAMBER, }
DES MOINES, IOWA, Jan. 17, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Journal of Thursday read and approved.

PETITIONS.

Senators Lovell and Dashiell presented petitions from their respective districts in relation to costs in criminal cases.

Referred to Judiciary Committee.

Senator Graham presented a petition from citizens of his district asking for the re-enactment of the death penalty.

Referred to Committee on Judiciary.

Senator Merrell of Clinton, presented a petition from citizens of his district asking for a Homeopathic Chair in the State University.

Referred to Committee on State University.

Senator Dwelle presented a petition relating to the same subject which was referred to the same committee.

Senator McCormack presented a petition from the citizens of the town of Marysville, asking for a legalizing act.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Cooley: S. F. No. 5, A bill for an act to repeal section 3849, of the Code of Iowa, and to enact a substitute therefor, and to restore capital punishment.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Cooley: S. F. No. 6, A bill for an act to amend section 3793, of the Code of Iowa, in relation to Compensation of County Treasurers.

Read first and second time, ordered printed and referred to Committee on Compensation of Public Officers.

By Senator Jessup: S. F. No. 7, A bill for an act to provide for the appointment of a Board of State Charities, and to define the duties of the same.

Read first and second time, ordered printed and referred to Committee of five to be appointed by the President.

By Senator Jessup: S. F. No. 8, A bill for an act to amend section 4746, of the Code.

Read first and second time, ordered printed and referred to Committee on Penitentiary.

Senator Campbell from the Committee of Conference, submitted the following report which was adopted:

To the Honorable Senate and House of Representatives of the

State of Iowa:—We the undersigned Committees of Conference appointed on part of the Senate and House to adjust the disagreement in relation to the selection of a mail carrier for the joint use of both Houses beg leave to report,

That having met and after due consideration, recommend E. H. Stedman, Esq., as a suitable person for that position, and would most respectfully ask the Honorable Senate to recede from its action in the election of mail carrier and to concur with the House in the election of Mr. Stedman to that position.

All of which is most respectfully submitted.

F. T. CAMPBELL,
J. H. MURPHY,
GEO. F. WRIGHT,

Committee on part of Senate.

JOHN McCARTNEY,
THOS. W. JOHNSTON,
W.M. T. SHAW,

Committee on part of House.

By Senator Bailey: S. F. No. 9, A bill for an act to amend section 875, chapter 2, title 6, of the Code.

Read first and second time and referred to Committee on County and Township Organization.

By Senator McCormack: S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa.

Read first and second time, and referred to Committee on Judiciary.

By Senator Miller, (of Appanoose): S. F. No. 11, A bill for an act defining the rights of parties in cases of injuries arising from negligence.

Read first and second time and referred to Judiciary Committee.

By Senator Bailey: S. F. No. 12, A bill for an act to amend chapter 4 of title 13 of the Code.

Read first and second time and referred to Committee on Judiciary.

By Senator Stoneman: S. F. No. 13, A bill for an act to prevent and punish gambling on public conveyances.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Wonn: S. F. No 14, A bill for an act to legalize the official acts of D. H. Payne, a Notary Public.

Read first and second time, and referred to Committee on Judiciary.

By Senator Miller of Black Hawk: S. F. No. 15, A bill for an act to amend title 12, chapter 8, of the Code, relating to County High Schools.

Read first and second time, ordered printed, and referred to Committee on Schools.

By Senator Larrabee: S. F. No. 17, A bill for an act to legalize the incorporation of the Clermont Printing Company.

Read first and second time. On motion of Senator Larrabee the rules were suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Clark, Dows, Gilmore, Hebard, Kinne, McCoid, Merrill of Wapello, Perkins, Rothert, Rumble, and Woolson—13.

So the bill passed and the title was agreed to.

Senators Rumble, Clark, Rothert, Hebard, Carr, Woolson, McCoid, Kinne, Merrill of Wapello, Perkins, Gilmore, and Arnold were excused.

By Senator Shane: S. F. No. 17, A bill for an act to increase the number of Judges of the Supreme Court.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Larrabee: S. F. No. 18, A bill for an act in relation to election of Judges of the Supreme Court.

Read first and second time, ordered printed, and referred to Judiciary Committee.

By Senator Teale: S. F. No. 19, A bill for an act to amend section 3789 of the Code.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Senator Murphy: S. F. No. 20. A bill for an act to enlarge the powers of the Trustees of the Orphan's Home.

Read first and second time, ordered printed and referred to Committee on Orphan's Homes.

Senator Cooley offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to have printed 500 copies of the rules of the Senate and House of Representatives for the use of the members of the General Assembly; that there be affixed to said rules, the names, ages, occupation, representative district, postoffice address, length of time in this State, nativity, and the boarding house of each senator and member; also a diagram of the Senate Chamber and House of Representatives; a list of the standing committees of the Senate and House of representatives, and also that he cause to be bound in each copy a skeleton map of the State, showing the population of each county, according to the last census.

Senator Young moved to strike out 500 and insert 1,000, which motion was adopted and the resolution as amended agreed to.

Senator Stoneman presented a joint resolution in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan *via* the valleys of the Fox and Wisconsin rivers.

Read first and second time.

On motion of Senator Stoneman the 11th rule was suspended and the joint resolution read a third time.

On the question shall the joint resolution pass, the yeas were :

Senators Bailey, Bestow, Conaway, Cooley, Dashiell, Dwelle, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Stoneman, Thornburg, Willett, Williams, Wilson Wonn, Wood, Wright, and Young.—34.

The nays were :

Senators Campbell, Graham, and Teale.—3.

Absent or not voting :

Senators Arnold, Clark, Carr, Dows, Gilmore, Hebard, McCoid, Merrill of Wapello, Perkins, Rothert, Rumble, Shane, and Woolson.—13.

So the joint resolution passed and the title was agreed to.—13.

RESOLUTION.

Senator Larrabee offered the following resolution, which was adopted.

Resolved, That until otherwise ordered the Senate have only one session a day, and that the hour of meeting be 10 o'clock, A. M.

Senator Hartshorn offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the two houses meet in joint convention on Wednesday, the 19th inst., at 2:30 o'clock, P. M., for the purpose of electing a State Printer, State Binder, and Warden of the State Penitentiary.

Senator Cooley moved to strike out Wednesday, 19th inst., and insert February 2d. The motion did not prevail.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following resolution, in which the concurrence of the Senate is asked.

Resolved by the House, the Senate concurring, That our Senators in Congress be instructed and our Representatives requested to secure if possible an amendment to the laws of Congress, so that Revenue Stamps shall not be required on bank checks.

Also, the House concurred in Senate resolution relative to the appointment of a committee to inquire into the expediency of procuring phonographic reports, and has appointed Messrs. Reed, of Howard, Bolter and Brush.

BENJ. VAN STEINBURG,

Assistant Clerk.

The question recurring on the adoption of the concurrent resolution providing for joint convention.

Senator Cooley moved to strike out 19th instant and insert 26th instant.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Campbell, Conaway, Cooley, Dashiell, Dwelle, Lov-

ell, McCormack, Merrell of Clinton, Newton, Pease, Shane, Thornburg, Willett, and Wood.—15.

The nays were—

Senators Bestow, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Larrabee, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Stoneman, Teale, Williams, Wilson, Wonn, Wright, and Young.—22.

Absent or not voting—

Senators Arnold, Carr, Clark, Dows, Gilmore, Hebard, Kinne, McCoid, Merrill of Wapello, Perkins, Rothert, Rumble, and Woolson.—13.
So the motion did not prevail.

The concurrent resolution was then adopted.

RESOLUTIONS.

Senator Miller of Black Hawk, offered the following resolution, which was adopted:

Resolved, That the clergymen in charge of the churches in the city of Des Moines, be invited to officiate as Chaplains of the Senate, and that they make their own arrangements of the order in which they shall act.

Senator Jessup offered the following concurrent resolution, which was agreed to:

Resolved by the Senate, the House concurring, That there be appointed the usual committees of visitation to the several State Institutions, said committees to be composed of one member from the Senate, and two from the House, and the formation thereof to be announced the 31st instant or earlier if practicable.

And be it further resolved, That immediately upon the appointment of said committees the President of the Senate and the Speaker of the House shall arrange the time of their departure on their several missions in such manner that not more than one-third of said committee shall be absent from the capitol at the same time.

Senator Young offered the following resolution, which was adopted:

Resolved by the Senate, That the President be authorized to add Senator Miller of Appanoose to the Committee on Senatorial Districts.

Senator Shane offered the following resolution, which was agreed to:

Resolved, That an additional standing committee be appointed by the President to be called the "Centennial Committee," to which shall be referred all memorials, resolutions and bills relating to the Centennial Celebration to be held at Philadelphia, unless otherwise ordered.

On motion of Senator Merrell of Clinton, the Governor's Message was taken from the table, and referred to appropriate committees.

At 4 30 P. M., on motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 18, 1876, }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. W. Munser.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House of Representatives has passed the following resolutions, in which the concurrence of the Senate is asked.

Joint Resolution relating to acts of a public nature offered as amendment to the Code.

Concurrent Resolution for the appointment of Visiting Committees.

BENJ. VAN STEINBURG,

Assistant Clerk.

The President announced as special committee to whom was referred S. F. No. 7., A bill for an act to provide for the appointment of a Board of State Charities, &c., Senators Jessup, McCormack, Harmon, Dashiell, and Mitchell; also as members of the new standing committee called the Centennial, Senators Shane, McCoid, Campbell, Stone-
man, Perkins, Merrill of Wapello, and Maginnis.

PETITIONS AND MEMORIALS.

By Senator Harmon: Asking for a Homeopathic Chair in State University.

Referred to Committee on State University.

By Senator Jessup: Remonstrating against the military duties made compulsory upon the students of the State University and Agricultural College.

Referred to Committee on Military.

By Senator Murphy: A petition from the citizens of Davenport, praying for the passage of a sewerage law.

Referred to Committee on Municipal Incorporations.

By Senator Miller of Appanoose: Praying for the legalizing of the incorporation of the town of Centerville, Appanoose county, Iowa.

Referred to Committee on Municipal Incorporations.

Senator Campbell offered the following concurrent resolution, which was agreed to:

Resolved by the Senate, the House concurring, That the two Houses meet in joint convention on Wednesday, January 19, 1876, at 12 o'clock, meridian, in accordance with the act of Congress approved July 25, 1866, for the purpose of hearing the journals of the Senate and House of Representatives compared in relation to the election of

United States Senator, and for other purposes required by said act of Congress.

Senator Larrabee offered the following resolution, which was adopted.

Resolved, That the Senate at 10½ o'clock proceed to the election of a United States Senator for the term commencing on the 4th of March, 1877.

Senator Pease, from the special committee on mileage of the Senators, presented a report, which was, on motion of Senator Bailey, re-committed to the special committee.

On motion of Senator Arnold, Senator Woolson was excused.

The hour having arrived for the purpose of voting for United States Senator, Senator Shane placed in nomination Hon. S. J. Kirkwood, of Johnson county.

Senator Stoneman placed in nomination the name of Hon. Shepard Leffler, of Des Moines county.

The roll was then called, with the following result:

Whole number of votes cast.....	49
Of which S. J. Kirkwood received.....	40
Of which Shepard Leffler received.....	9

Those voting for S. J. Kirkwood were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dowr, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wood, Wright, and Young.

Those voting for Shepard Leffler were:

Senators Kiune, McCormack, Maginnis, Merrell of Clinton, Murphey, Pease, Stoneman, Wilson, and Wonn.

Samuel J. Kirkwood having received a majority of all the votes cast, was declared duly elected United States Senator, on the part of the Senate, for the term of six years from the 4th of March, 1877.

The following communication was laid before the Senate by the President:

OFFICE OF SECRETARY OF STATE,
DES MOINES, I-WA, January 18, 1876. |

HON. JOSHUA G. NEWBOLD, *President of the Senate*:

SIR:—I have the pleasure of informing the Honorable Senate that I caused resolutions number 17 and 18, passed by the Fifteenth General Assembly, to be published for three months prior to the general election of 1875, in one weekly newspaper in each Congressional District in the State.

Very respectfully,

JOSIAH T. YOUNG.

Secretary of State.

INTRODUCTION OF BILLS.

By Senator Miller of Black Hawk: S. F. No. 21, A bill for an act to amend chapter 49, of the public laws of 1874, in relation to game.

Read first and second time, ordered printed, and referred to Committee on Game.

By Senator Arnold: S. F. No. 22, A bill for an act to amend section 500 of chapter 10 of the Code.

Read first and second time, and referred to Committee on Appropriations.

By Senator Williams: S. F. No. 23, A bill for an act to amend section 560 of chapter 12 of the Code, in relation to plats.

Read first and second time, and referred to Committee on County and Township Organization.

By Senator Willett: S. F. No. 24; A bill for an act regulating the jurisdiction of justices of the peace.

Read first and second time, and referred to Committee on Judiciary.

By Senator Miller of Appanoose: S. F. No. 25, A bill for an act to amend section 3084, chapter 2, title 18 of the Code of 1873, in reference to surplus on execution.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Young: S. F. No. 26, A bill for an act to repeal section 1061 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Banks.

On motion of Senator Shane, House messages were taken up.

On motion of Senator Shane, the Senate concurred in House resolution in relation to the appointment of the several visiting committees.

On motion of Senator Rumble, the House resolution relative to amending the Code, was referred to Committee on Judiciary.

Senator Hartshorn moved to recall S. F. No. 3, from the Committee on Fish and Game, and refer it to the Committee on Judiciary.

The motion prevailed.

On motion of Senator Shane, at 11:15 A. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 19, 1876. }

Senate met pursuant to adjournment, and was called to order by the president.

Prayer by Rev. A. L. Frisbie.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed without amending S. F. No. 16, A bill to legalize the incorporation of Clermont Printing Company.

Also has concurred in Senate Resolutions in reference to the appointing of Visiting Committees for the various State Institutions.

To meet in Joint Convention at 12 o'clock, Meridian, to hear the Journals of both Houses read in relation to the election of United States Senator.

Joint Resolution relative to a Commercial highway by water between the Mississippi River and Lake Michigan *via* the valley of the Fox and Wisconsin.

Concurrent Resolution to meet in Joint Convention, Wednesday 19th inst., at 2½ o'clock for the purpose of electing State Printer, State Binder, and Warden of the State Penitentiary.

Also, the House has concurred in Senate resolution in relation to instructing the Secretary of State to have printed copies of the rules of Senate and House of Representatives with the following amendment, strike out "one thousand" in fourth line and insert "two thousand," in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG,
Assistant Clerk.

PETITIONS AND MEMORIALS.

Senator Murphy presented an invitation from the State Horticultural Society now in session at Des Moines, to the General Assembly to visit the society at their hall when convenient.

Passed on file.

By Senator McCormack: A petition from Marion county asking for an appropriation for a Homeopathic Chair in the State University.

Referred to Committee on State University.

By Senator Hartshorn: From citizens of Emmet county, asking for relief.

Ordered printed and referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Carr: S. F. No. 27, A bill for an act to repeal chapter 32, of Public Laws of Fifteenth General Assembly and to enact a substitute therefor.

Read first and second time and referred to Committee on Judiciary.

By Senator Bailey: S. F. No. 28, A bill for an act amendatory to section 866, chapter 2, title 6 of the Code.

Read first and second time and referred to Committee on County and Township Organization.

By Senator Bailey: S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

Read first and second time and referred to Committee on Agriculture.

By Senator Murphy: S. F. No. 30, A bill for an act authorizing cities to provide for the construction of sewers.

Read first and second time, ordered printed and referred to Committee on Municipal Incorporations.

By Senator Maginnis: S. F. No. 31, A bill for an act to amend chapter 47 of the Laws of the Fifteenth General Assembly.

Read first and second time, ordered printed and referred to Committee on Railroads.

By Senator Rumble: S. F. No. 32, A bill for an act to restrain vagrancy and common begging.

Read first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Larrabee: S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette.

Read first and second time, and referred to Judiciary Committee.

By Senator Larrabee: S. F. No. 34, A bill for an act to extend the time named, in an act making a grant of land to the McGregor and Sioux City Railway Company, and the 43rd, a parallel Railway Company. Approved March 31st 1868.

Read first and second time, ordered printed, and referred to Committee on Railroads.

By Senator Maginnis: S. F. No. 35, A bill for an act to repeal section 1288 of the Code of 1873, and enact in lieu thereof.

Read first and second time, ordered printed, and referred to Committee on Railroads.

By Senator Willett: S. F. No. 36, A bill for an act relating to the coupling of railroad cars.

Read first and second time, and referred to Committee on Railroads.

By Senator McCormack: S. F. No. 37, A bill for an act to amend section 3798 of the Code, in relation to the compensation of Public Officers.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator McCoid: S. F. No. 38, A bill for an act to amend chapter 4, title 16, of the Code, in relation to the estates of decedents.

Read first and second time, and referred to Committee on Judiciary.

By Senator McCoid: S. F. No. 39, A bill for an act to regulate the exemption of the property of religious societies from taxation, and amendatory of section 797, chapter 1, title 41, of the Code, in relation to Revenue.

Read first and second time, ordered printed, and referred to Committee on Ways and Means.

By Senator Miller of Black Hawk: S. F. No. 40, A bill for an act authorizing the Governor to appoint four aids-de-camp.

Read first and second time, and referred to Committee on Military.

By Senator Hebard: S. F. No. 41, A bill for an act to amend chapter 2, title 23, of the Code of 1873.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Shane: S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quartermaster-General of the State.

Read first and second time, and referred to Committee on Military.

RESOLUTION.

Senator Merrill of Wapello, offered the following concurrent resolution which was agreed to:

Resolved by the Senate, the House concurring, That to the visiting committees there be added one to the State Hatching House at Anamosa.

Senator Willett offered the following resolution, which was adopted:

Resolved, That each of the following committees of the Senate may have a clerk, if in the judgment of said committees such clerk is by it needed, viz: Judicial, Ways and Means, Appropriations, Railroads, Schools, Municipal Incorporations, and Insurance; *provided*, the clerk of the Committee on Insurance, act as clerk to the Committee on Banking without additional compensation.

Senator Hartshorn presented a Joint Resolution agreeing to a proposed amendment of section 4, of article 31, of the Constitution of the State of Iowa.

Read first and second time, ordered printed and referred to Committee on Constitutional Amendments.

Senator Rotherth offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That there be printed four thousand additional copies of the report of the Auditor of State, three thousand copies of the Governor's Inaugural in English, three thousand in German, and two thousand copies in the Norwegian languages, and furnished to the officers of State and the members of this general assembly for distribution.

The resolution was referred to the Committee on printing with instructions to report the cost of printing in the languages referred to.

Senator Williams offered the following:

Resolved by the Senate, the House concurring, That the Biennial Message of Governor Carpenter and the Inaugural Message of Governor Kirkwood be translated into the German language by Theodore Guelich of Burlington, and that he be authorized to print two thousand copies of each for the use of the general assembly.

On motion of Senator Perkins, the resolution was referred to the Committee on Printing with instructions to enquire into the cost of printing the documents named.

Senator Pease from the Special Committee on Mileage submitted the following report, which was adopted.

MR. PRESIDENT:—Your Special Committee on Mileage of Senators, have performed the duty for which they were appointed and respectfully submit the following report of the amount due each Senator in accordance with law:

NAMES OF SENATORS.	DISTRICT.	AMOUNT.
Henry W. Rotherth.....	1	\$ 48.30
James B. Pease.....	2	45.00
H. A. Wonn.....	3	36.00
Joshua Miller.....	4	45.00
Henry L. Dashiell.....	5	26.00
Samuel L. Bestow.....	6	42.00
Fred Teale.....	7	48.00
Alfred Hebard.....	8	76.00
George F. Wright.....	9	42.00
J. Wilson Williams.....	10	48.00
John S. Woolson.....	11	42.00
Moses A. McCoid.....	12	39.00
Joseph H. Merrill.....	13	30.00
Hosea N. Newton.....	14	33.00

NAMES OF SENATORS.	DISTRICT.	AMOUNT.
William Wilson.....	15	60.00
Henry Thornburg.....	16	10.00
Lafayette Young.....	17	24.00
Thomas R. Gilmore.....	18	21.00
John L. McCormack.....	19	17.00
William Graham.....	20	6.00
Gilbert H. Wood.....	21	51.00
Jeremiah H. Murphy.....	22	54.00
N. A. Merrell.....	23	63.00
Henry C. Carr.....	24	60.00
Ezekiel Clark.....	25	38.00
John N. W. Rumble.....	26	27.00
Frank T. Campbell.....	27	12.00
Thomas Mitchell.....	28	6.00
Elias Jessup.....	29	42.00
William A. Maginnis.....	30	81.00
George W. Lovell.....	31	60.00
Stephen L. Dows.....	32	53.00
John Shane.....	33	60.00
Delos Arnold.....	34	36.00
Dennis N. Cooley.....	35	82.00
Lewis G. Hersey.....	36	81.00
Merritt W. Harmon.....	37	66.00
John Conaway.....	38	21.00
John F. Stoneman.....	39	80.00
William Larrabee.....	40	80.00
Samuel H. Kinne.....	41	111.00
George R. Willett.....	42	83.00
Arad Hitchcock.....	43	76.00
Edmund G. Miller.....	44	60.00
William H. Gallup.....	45	15.00
Lemuel Dwelle.....	46	65.00
Eldin J. Hartshorn.....	47	48.00
Hiram Bailey.....	48	68.00
Samuel D. Nichols.....	49	15.00
George D. Perkins.....	50	70.00
Lieutenant Governor Dysart.....		66.00
Lieutenant Governor Newbold.....		48.00

J. B. PEASE.

J. N. W. RUMPLE.

JOHN T. STONEMAN.

HOUSE MESSAGES.

House messages were then taken up, and the Senate refused to concur in the House amendment to Senate resolution relating to printing the rules of this General Assembly.

Senator Hartshorn moved that when the Senate adjourn, it adjourn until two o'clock and twenty minutes this afternoon.

The motion prevailed.

On motion of Senator Cooley the Senate took a recess until 11:55

A. M.

At eleven o'clock and fifty-five minutes the Senate was called to order by the president.

On motion of Senator Larrabee, Senators Miller of Black Hawk, and Murphy, were appointed a committee to notify the House that the Senate is ready to meet them in joint convention.

The committee appointed to notify the House that the Senate was ready to meet them in joint convention, reported that they had performed that duty, and were discharged.

A committee from the House announced the House now ready to receive the Senate in joint convention, for the purpose of comparing the journals of the two houses in relation to the election of United States Senator.

At twelve o'clock, Meridian, the Senate repaired to the hall of the House of Representatives.

JOINT CONVENTION.

Lieutenant Governor Newbold called the joint convention to order, and stated the object of the convention to be to compare the journals of both Houses on the election of United States Senator.

The Senate journal was then read.

The House journal was then read.

The whole number of votes cast were one hundred and forty-five, of which:

Samuel J. Kirkwood received.....	108
Shepard Leffler received.....	37

Senator Cooley then offered the following resolution, which was adopted:

Resolved by the General Assembly of the State of Iowa, in joint session assembled: Pursuant to the act of Congress relating to the time and manner of holding elections for Senators in Congress, approved July 25, 1876, that Samuel J. Kirkwood be declared the Senator elect from this State, in the Congress of the United States, for the term of six years from the fourth of March, A. D., 1877.

On motion of Senator Jessup, the joint convention dissolved.

At twelve o'clock and ten minutes the Senate returned to its chamber, and on motion of Senator Cooley, adjourned.

At two o'clock and twenty minutes the Senate was called to order by the President.

Senator Rothert was excused for this afternoon.

On motion of Senator Shane, Senator Dows was appointed teller on the part of the Senate in joint convention.

A committee from the House announced that the House was ready to receive the Senate in joint convention.

At two o'clock and thirty minutes the Senate proceeded to the hall of the House of Representatives.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Newbold, who stated the object of the convention to be the election of State Printer, State Binder, and Warden of Penitentiary, and announced Senator Dows as teller on part of the Senate.

The Speaker announced John McCartney as teller on part of the House.

Senator Shane nominated R. P. Clarkson, of Polk county, for State Printer.

The joint roll was then called with the following result:

Whole number of votes cast.....	130
Necessary to a choice	66
Of which Mr. Clarkson received.....	130

Whereupon Mr. Clarkson having received all the votes cast was declared duly elected.

Those voting for R. P. Clarkson were:

Messrs. Allen, Arnold, Auld, Bailey, Baker, Benton, Bestow, Birchard, Bolter, Brooks, Brown, Brush, Bush, Calvin, Campbell of Shelby, Campbell of Jasper, Carr, Case, Chapman, Christy, Clark, E. of Johnson, Clark, R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Crawford of Dubuque, Danforth, Dashiell, Dows, Dwelle, Elliott, Evans, Fuller, Gallup, Gear, Gibbons, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Homer, Horstman, Horton, Hortchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Kauffman, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McElderry, McNeill, Madden of Polk, Madden of Taylor, Madson, Manning, Mentzel, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Mueller, Newton, Nichols, Norris, Palmer, Perkins, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rumple, Said, Scott, Seever, Shane, Shepardson, Simmons, Smith, Stone, Stuart, Stuckey, Teale, Thornburg, Tice, Underwood, Ure, White, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wonn, Wood, Woolson, Wright, Young of Cass, and Young of Clinton—130.

Mr. Graves nominated H. A. Perkins of Dubuque for State Binder.

The joint roll was then called with the following result.

Whole number of votes cast.....	121
Necessary to a choice.....	61
Of which Mr. Perkins received.....	121

Whereupon Mr. Perkins having received all the votes cast was declared duly elected.

Those voting for H. A. Perkins were:

Messrs. Allen, Arnold, Auld, Bailey, Benton, Bestow, Brooks, Brush, Bush, Calvin, Campbell of Audubon, Campbell of Jasper, Carr, Case, Chapman, Clark, E. of Johnson, Clark, R. of Johnson, Cleveland, Col-

vin, Conaway, Cooley, Craver, Crawford of Dubuque, Danforth, Dashiell, Deweese, Dows, Dwelle, Evans, Fuller, Gallup, Gear, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Kauffman, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McElderry, McHugh, McNeill, Madden of Polk, Manning, Maris, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Mueller, Newton, Nichols, Norris, Palmer, Pease, Perkins, Proudfoot, Rae, Reed of Howard, Rees, Robinson, Rother, Rumple, Said, Scott, Seever, Shane, Shaw, Shepardson, Simmons, Smith, Stone, Teale, Thornburg, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wood, Woolson, Wright, and Young of Cass—121.

Mr. Irwin of Lee nominated Seth H. Craig, of Pottawattamie for Warden of the Penitentiary.

Mr. Clark of Marion nominated Jonathan Jones, of Marion for the same office.

The joint roll was then called with the following result:

Whole number of votes cast	129
Necessary to a choice	65
Of which Mr. Craig received	125
Of which Jonathan Jones received	4

Mr. Craig having received a majority of the votes cast was declared duly elected.

Those voting for Seth H. Craig were:

Messrs. Allen, Arnold, Auld, Bailey, Baker, Benton, Bestow, Bolter, Brooks, Brush, Bush, Calvin, Campbell of Audubon, Campbell of Jasper, Carr, Chapman, Christy, Clark, E. of Johnson, Clark, R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Crawford, of Scott, Danforth, Dashiell, Dows, Dwelle, Elliott, Evans, Fuller, Gallup, Gear, Gibbons, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Gray, Hall, Harmon, Harned, Hartshorn, Hebard, Hemenway, Hersey, Hitchcock, Hoag, Hobbs, Homer, Horstman, Horton, Hotchkiss, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Johnston, Jordan, Lane, Lathrop, Lovell, Lynch, McCartney, McCoid, McCune, McElderry, McNeil, Madden of Polk, Madden of Taylor, Madson, Maginnis, Maris, Mentzel, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Morse of Adams, Morse of Wright, Mueller, Newton, Norris, Palmer, Pease, Perkins, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rumple, Said, Seever, Shane, Shepardson, Simmons, Smith, Stone, Teale, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wilson of Washington, Wonn, Wood, Woolson, Wright, Young of Cass, and Young of Clinton.

Those voting for Mr. Jones were:

Messrs. Clark of Marion, Crawford of Dubuque, Stuart, and White.

The following certificates were signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 19, A. D., 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 19th day of January, A. D., 1876, for the purpose of electing a State Printer, R. P. Clarkson having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 19, A. D., 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 19th day of January, A. D., 1876, for the purpose of electing a State Binder, H. A. Perkins having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 19, A. D., 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednes-

day, the 19th day of January, A. D., 1876, for the purpose of electing a Warden of the Penitentiary, Seth H. Craig having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 19th day of January, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

S. L. DOWS,
Teller of the Senate.

JOHN McCARTNEY,
Teller of the House of Representatives.

On motion of Senator Young of Cass, the joint convention dissolved.

At 3 o'clock and ten minutes the Senate returned to its chamber.

On motion of Senator Jessup, the Senate adjourned.

SENATE CHAMBER,

DES MOINES, IOWA, January 20, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. C. A. Gilwicks.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the Senate resolution relative to the appointment of a visiting committee to the State Hatching House at Anamosa.

BENJ. VAN STEINBURG,
Assistant Clerk.

PETITIONS AND MEMORIALS.

By Senator Perkins: Asking for the formation of a new judicial district.

Referred to Committee on Judicial Districts.

By Senator Jessup: Praying for the continuance of the law which abolishes capital punishment.

Passed on file.

By Senator Clark : From citizens of Johnson and Washington counties praying for the establishment of a Homœopathic chair in the State University.

Referred to Committee on State University.

By Senator Dows : A like petition from Linn county.

Same reference.

By Senator Maginnis : A like petition from Clayton county.

Same reference.

INTRODUCTION OF BILLS.

By Senator Willett: S. F. No. 41½, A bill for an act relating to the recording of United States and State patents for lands.

Read first and second time, and referred to Committee on Judiciary.

By Senator McCoid: S. F. No. 43, A bill for an act to provide for the assessment and taxation of the property of express and telegraph companies, Pullman sleeping cars, and property of other car companies doing business in this State and not otherwise taxed.

Read first and second time, ordered printed, and referred to Committee on Ways and Means.

By Senator Perkins: S. F. No. 44, A bill for an act to amend section 3809 of the Code.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator Stoneman: S. F. No. 45, A bill for an act to amend section 2742 of chapter 9, title 17 of the Code, regulating the taking of testimony in equity actions.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Mitchell: S. F. No. 46, A bill for an act to amend section 2951 of chapter 1, title 18, of the Code 1873, of attachment, executions and supplementary proceedings.

Read first and second time, and referred to Committee on Judiciary.

By Senator Newton: S. F. No. 47, A bill for an act for the protection of agricultural societies.

Read first and second time, and referred to Committee on Agriculture.

By Senator Teale: S. F. No. 48, A bill for an act in relation to the payment of taxes.

Read first and second time, and referred to Committee on Judiciary.

By Senator Campbell: S. F. No. 49, A bill for an act in relation to revenue, and taxing the property of express companies and telegraph companies.

Read first and second time, ordered printed, and referred to Committee on Ways and Means.

By Senator Miller of Black Hawk: S. F. No. 50, A bill for an act providing a proper seal for the office of Adjutant General of the State, and that he be authorized to administer oaths.

Read first and second time, and referred to Committee on Judiciary.

By Senator Shane: S. F. No. 51, A bill for an act to amend section 3774 of the Code.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator Woolson: S. F. No. 52, A bill for an act to legalize the acts of the council of the city of Mt. Pleasant, in relation to the levy of taxes.

Read first and second time.

Senator Woolson moved to suspend the rules and read the bill a third time now.

The motion prevailed and the bill was read a third time.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumpel, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young.—49.

Absent and not voting—Senator Perkins.

So the bill passed and the title was agreed to.

By Senator McCoid: S. F. No. 53, A bill for an act providing for the assessment and taxation of property sold for non-resident wholesale merchants by order, sample or other commercial traveling systems.

Read first and second times, ordered printed, and referred to Committee on Commerce.

By leave : Senator Young, from the Committee on Printing, submitted the following report :

Mr. President—Your Committee on Printing, to whom were referred concurrent resolution in reference to the printing of four thousand additional copies of the report of the Auditor of State, beg leave to report that they have had the same under consideration and report a substitute and recommend that it be adopted and do pass.

LAFE YOUNG, *Chairman*.

The following substitute reported by the committee was then considered :

Resolved by the Senate, the House concurring, That four thousand additional copies of the Biennial Report of the Auditor of State be printed and furnished to the officers of State and the members of this General Assembly for distribution.

Senator Campbell moved to recommit the report to the committee, to enquire into the cost of the same.

The motion prevailed.

On motion of Senator Young, at 11:20 A. M. the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 21, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. T. S. Berry.

Yesterday's Journal read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Mr. President: I am directed to inform your honorable body that the House has passed the following joint resolution, in which concurrence of the Senate is asked:

Preamble and resolution relating to postage on third-class mail matter.

Concurrent resolutions for the printing of 2,000 copies of the reports of the Auditor of State.

Also the House has receded from its amendment relative to printing 2,000 copies of the Rules.

BENJ. VAN STEINBURG,
Assistant Clerk.

The President announced as committee on the part of the Senate, on concurrent resolution relative to ascertaining cost of phonographic reports of this Assembly, Senators Shane and Larrabee.

PETITIONS AND MEMORIALS.

By Senator Shane: Petitions from citizens of Benton county, praying for the placing of church property and the property of ecclesiastical organizations on same footing, as to the payment of taxes, as the property of the individual.

Referred to Committee on Judiciary.

By Senator Hartshorn: A petition from the board of supervisors of Emmet county, in relation to allowing townships to vote aid to Railroads.

Referred to Committee on Ways and Means.

By Senator Merrell of Clinton: A petition from the board of supervisors of Clinton county, praying for changes in the criminal statute of the State, so as to lessen the expenses of counties in criminal cases.

Referred to Committee on Judiciary.

By Senator Hebard: A like petition from Montgomery county.

Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

By Senator Cooley: S. F. No. 53½, A bill for an act to resume all

the lands and rights conferred upon the McGregor and Sioux City Railroad Company by or under an act of Congress approved May 12th, 1864.

Read first and second time, ordered printed, and referred to Committee on Railroads.

By Senator Conaway: S. F. No. 54, A bill for an act to elevate the standard of the medical profession and protect the citizens of Iowa from empiricism.

Read first and second time, ordered printed, and referred to Committee on State University.

By Senator Murphy: S. F. No. 55, A bill for an act to amend chapter 7, article 14, of the Code, in relation to assignments for the benefit of creditors.

Read first and second time, and referred to Committee on Judiciary.

By Senator Wright: S. F. No. 56, A bill for an act to amend section one of chapter twenty-eight of the laws of the Fifteenth General Assembly.

Read first and second time, ordered printed, and referred to Committee on Ways and Means.

By Senator Miller of Blackhawk: S. F. No. 57, A bill for an act to destroy noxious weeds in highways.

Read first and second time, ordered printed, and referred to Committee on Highways.

By Senator Kinne: S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Hebard: S. F. No. 59, A bill for an act for bonding county indebtedness.

Read first and second time, and referred to Committee on Ways and Means.

By Senator Merrell of Clinton: S. F. No. 60, A bill for an act to amend section 320, chapter 3, title 4, of the Code of Iowa.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Nichols: S. F. No. 61, A bill for an act to prohibit county treasurers from becoming sureties.

Read first and second time, and referred to Committee on Judiciary.

By Senator Williams: S. F. No. 62, A bill for an act to amend section 921 of the Code, relating to the width of roads in certain cases.

Read first and second time, and referred to Committee on Highways.

RESOLUTION.

Senator Shane offered the following resolution, which was adopted:

Resolved, That the Clerk of the Supreme Court be requested to furnish for the use of the Senate, under oath, the total number of causes docketed in the Supreme Court on appeal or otherwise, from December 13, 1874, to December 31, 1875, inclusive, and the total amount of fees and compensation received by him as Clerk, during said period, from all sources; and also, the total amount of fees and compensation due to him as such Clerk, but which is not yet collected.

HOUSE MESSAGES.

House Messages were then taken up.

The Senate concurred in House Resolution, in relation to the amendment of the laws of Congress, so as to abolish revenue stamps on bank checks.

Joint Resolution from the House, relating to postage on third-class mail matter, was taken up, and read first and second time.

On motion of Senator McCoid, the rule was suspended, and the Joint Resolution read a third time.

On the question, shall the Joint Resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young.—50.

The nays were: none.

So the Joint Resolution passed and the title was agreed to.

The Senate concurred in House Resolution, in relation to printing 2,000 copies of the report of the Auditor of State.

• COMMITTEE REPORT.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred S. F. No. 38, A bill for an act to amend chapter 4, title 18, of the Code, in relation to the estate of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred S. F. No. 12, A bill for an act of the transfer of personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. R. WILLETT, Chairman.

Ordered passed on file.

Assistant Door-Keeper, Mr. Schreiner, was granted leave of absence until Tuesday.

JOINT RESOLUTION.

By leave, Senator Stoneman presented a Joint Resolution in reference to the improvement of the navigation of the Mississippi river.

Read first and second time.

On motion of Senator Stoneman, the rule was suspended, and the Joint Resolution read a third time.

On the question, shall the Joint Resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young.—50.

The nays were: none.

So the Joint Resolution passed, and, on motion of Senator Cooley, the title was amended by inserting the word "Upper" before the word "Mississippi." The title thus amended was agreed to.

BILLS ON SECOND READING.

S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette, with the report of the committee, recommending that it do pass, was taken up and considered.

Senator Larrabee moved to suspend the rule and read the bill a third time now.

The motion prevailed and the bill was read a third time.

On the question "shall the bill pass?" the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young.—50.

The nays were none.

So the bill passed and the title was agreed to.

S. F. No. 38, A bill for an act to amend chapter 4, title 16 of the Code, in relation to the estate of decedents, with the recommendation of the committee that it "do pass," was taken up, considered and ordered engrossed.

S. F. No. 12, A bill for an act to amend chapter 4, title 13 of the Code, with the report of the committee, recommending that it do not pass, was taken up and considered.

Senator Kinne moved that the bill be indefinitely postponed.

The motion prevailed.

Senators Murphy, Larrabee, Stoneman, Kinne, Young, and Wright were granted leave of absence until Tuesday next.

At 11 o'clock and twenty-five minutes, the Senate on motion of Senator Kinne adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 22, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. W. Monser.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of the Code, relating to fees of witnesses, and enacting a substitute therefor.

H. F. No. 110, A bill for an act to change the name of Petersburg, in Keokuk county.

Also, the House passed without amendment H. F. No. 52, A bill for an act to legalize the acts of the council of the city of Mount Pleasant, in relation to the levy of taxes.

BENJ. VAN STEINBURG,
Assistant Clerk.

VISITING COMMITTEES.

The President announced the following members on the part of the Senate, as committees to visit the different State institutions:

Penitentiary, Anamosa—Senator McCoid.

Penitentiary, Ft. Madison—Senator Jessup.

Orphans' Home, Glenwood—Senator Teale.

Institution for Deaf and Dumb—Senator Rothert.

To leave on the 23d, 24th or 25th insts.

Hospital for Insane, Mt. Pleasant—Senator Shane.

Hospital for Insane, Independence—Senator Merrill of Wapello,

Reform School and Branch—Senator Campbell.

Fish Hatching House, Anamosa—Senator Murphy.

State University, Iowa City—Senator Cooley.

Leave on the 26th, or between the 26th and 31st instants.

College for the Blind—Senator Wonn.
Agricultural College—Senator Hebard.
Orphans' Home, Cedar Falls—Senator Rumble.
Orphans' Home, Davenport—Senator Clark.
Leave between the 1st and 5th day of February.

PETITIONS AND MEMORIALS.

By Senator Woolson: A memorial of the Religious Society of Friends, asking the death penalty be not restored.

Referred to Committee on Judiciary.

By Senator Harmon: A petition from the bar of Buchanan county, asking for the repeal of the law taxing the entire cost of jury, in all cases to the losing party.

Referred to Committee on Judiciary.

By Senator Rother: A petition from the citizens of Keokuk, asking for an appropriation, to enable the militia of Iowa to be represented at the Centennial Exposition at Philadelphia in 1876.

Referred to Centennial Committee.

By Senator McCormack: A petition to increase the jurisdiction of justices of the peace.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Jessup: S. F. No. 63, A bill for an act to amend chapter 5 of the Code of 1873 and add thereto.

Read first and second time, ordered printed and referred to Committee on Reform School.

By Senator Nichols: S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code.

Read first and second time and referred to Committee on Judiciary.

By Senator Rumble: S. F. No. 65, A bill for an act to repeal section 209, chapter 9, title 3 of the Code of 1873.

Read first and second time and referred to Committee on State University.

By Senator Jessup: S. F. No. 66, A bill for an act to amend chapter 43 of the laws of the Fourteenth General Assembly.

Read first and second time, ordered printed and referred to Committee on Reform School.

By Senator Gallup: S. F. No. 67, A bill for an act to enable incorporated towns, cities and townships to aid in the construction of railroads.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Miller of Appanoose: S. F. No. 68, A bill for an act supplementary to chapter 6, Code of 1873.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

By Senator Miller of Appanoose: S. F. No. 69, A bill for an act to amend section 1543 of the Code of 1873.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

By Senator McCormack: S. F. No. 70, A bill for an act to amend sections 1774 and 1776 of the Code 1873, prescribing the duties of county superintendents, and fixing the salary of such office.

Read first and second time, ordered printed and referred to Committee on Schools.

By Senator Bailey: S. F. No. 71, A bill for an act to supply shade trees on the public highways of the State.

Read first and second time, ordered printed and referred to Committee on Horticulture and Forestry.

By Senator Carr: S. F. No. 72, A bill for an act to repeal section 963 of the Code and to enact a substitute therefor.

Read first and second time, and referred to Committee on Highways.

By Senator Rothert: S. F. No. 73, A bill for an act in relation to tax sales of property in counties having two county seats.

Read first and second time.

Senator Rothert moved to suspend the eleventh rule and read the bill a third time.

The motion prevailed and the bill was read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—44.

The nays were none.

Absent and not voting:

Senators Kinne, Larrabee, Murphy, Stoneman, Wright, and Young—6.

So the bill passed and the title was agreed to.

By Senator Dows: S. F. No. 74, A bill for an act to provide for establishing superior courts in cities of a certain grade.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Harmon: S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code of 1873, relating to the number of members of mutual associations.

Read first and second time, ordered printed and referred to Committee on Insurance.

By Senator Gallup: S. F. No. 76, A bill for an act to amend section 3327 of the Code of 1873, in relation to the satisfaction of mortgages.

Read first and second time, and referred to Committee on Judiciary.

RESOLUTIONS.

Senator Campbell offered the following resolution which was adopted:

WHEREAS, There are large sums of money being loaned in this State by Insurance Companies and corporations, which have thus far evaded taxation, therefore,

Resolved, That the Ways and Means Committee be instructed to inquire into the expediency and manner of subjecting the same to tax-

ation the same as the property of individuals, and report by bill or otherwise at an early day.

Senator Teale presented a Joint Resolution, proposing to amend section 11, article 1 of the Constitution of the State of Iowa.

Read first and second time, ordered printed and referred to Committee on Constitutional Amendments.

Senator McCoid offered the following resolution which was agreed to.

Resolved, That the Committee on Railways be instructed to inquire into the justice and necessity of amending the present railway tariff law, so as to provide for an uniform station rate for loading and unloading; and to provide for a proportionate increase of the present rate from the distance of one hundred miles back to one, and a proportionate decrease of the present rate from a distance of one hundred miles, as such distance shall increase per mile, bringing the rate for long and short shipments more nearly equal; also, so as to prevent consolidation of parallel and competing lines; and report by bill or otherwise.

COMMUNICATION.

The following communication was laid before the Senate by the President:

To the Honorable Senate Sixteenth General Assembly:—In response to the resolution of your honorable body passed January 21st, 1876, requesting a report of the total number of causes docketed in the Supreme Court for the year 1875, also, the total amount of fees and compensation received by me as clerk of said court, as well as the amount due and uncollected for said year, I beg leave to report:

Total number civil causes docketed for year 1875.....	424
Total number criminal causes.....	47
Total.....	471
Total amount of fees and compensation received during the year 1875.....	\$3,122.15
Amount due and uncollected.....	615.70
Total.....	\$3,737.85
Fees unavailable, by estimate.....	\$ 225.00
Amount paid for assistance, about.....	1,200.00—\$1,425.00
Net income for year 1875.....	\$2,312.85

STATE OF IOWA, }
POLK COUNTY, }

I, E. J. Holmes, Clerk of the Supreme Court, on oath say, that the foregoing is a true statement, except so far as it relates to the amount paid for assistance. That the amount so paid is nearly the sum of

\$1,200, and that the business of the office requires an expenditure of at least that amount for help, in addition to the full time of the principal.
E. J. HOLMES.

Subscribed and sworn to before me, by E. J. Holmes, this 22d day of January, 1876.

In testimony whereof, witness my hand and Notarial Seal.

[SEAL]

WM. H. FLEMING,

Notary Public for Polk County, Iowa.

On motion of Senator Shane the communication was referred to a select committee of one, Senator Campbell.

HOUSE MESSAGES.

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814, Code, relating to fees of witnesses and enacting a substitute therefor, was taken up.

Read first and second time and referred to Committee on Judiciary.

H. F. No. 110, A bill for an act to change the name of Petersburg, in Keokuk county.

Read first and second time, and referred to Committee on Judiciary.

COMMITTEE REPORTS.

Senator Jessup, from the Special Committee on S. F. No. 7, submitted the following report :

Mr. President—Your Special Committee, to whom was referred S. F. No. 7, A bill for an act to provide for the appointment of a Board of State Charities, and to define the duties of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, to-wit: Add in the first line of section four, after the word "one," the words "or more," and after the word "asylums" in sixth line of same section, add the words "Orphans' Homes and other charitable institutions," and strike out the word "imposing," in printed bill in first line of section 11, and insert in lieu thereof the word "impairing," and that when so amended, it do pass.

E. JESSUP, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Judiciary, submitted the following report :

Mr. President—Your Committee on Judiciary, to whom was referred S. F. No. 24, A bill for an act regulating the jurisdiction of Justices of the Peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the words "be amended by" in the third line thereof, and insert in lieu thereof the words "inserting" after the words "at a particular place," the words, "where the defendant is a resident of the county where such payment is to be made," and when so amended that it do pass.

M. A. MCCOID,
For the Committee.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

Mr. President—Your Committee on Judiciary, to whom was referred S. F. No. 42½, a bill for an act relating to the recording of United States and State patents for lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. WOOLSON, *For the Committee.*

Ordered passed on file.

Senator Maginnis was granted leave of absence until next Tuesday week.

On motion of Senator Cooley the Senate adjourned until 2 o'clock, P. M., Monday.

SENATE CHAMBER,
DES MOINES, IOWA, January 24, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. W. J. Gill.

INTRODUCTION OF PETITIONS AND MEMORIALS.

By Senator Young: A petition asking for a Homeopathic chair in the State University.

Referred to Committee on State University.

By Senator Wright: A like petition, which was referred to same committee.

By Senator Wilson: A like petition.

Referred to same committee.

By Senator Cooley: A petition from Dubuque county praying for an amendment to the Constitution of the State, prohibiting the use of Public Funds in Parochial Schools and for Religious purposes.

Referred to Committee on Constitutional Amendments.

By Senator Harmon: A petition from the citizens of Buchanan county, to place church property and the property of ecclesiastical organizations on the same footing, as to the payment of taxes, as the property of the individual.

Referred to Committee on Ways and Means.

By Senator McCormack: A petition from the citizens of Marion county in relation to amending the statute in relation to Township Organization in regard to election of Township Trustees.

Referred to Committee on County and Township Organizations.

By Senator Cooley: A petition from the Board of Supervisors of Dubuque county, asking for the amendment of Section 303, chapter 2, title 4 of the Code.

Referred to Committee on County and Township Organization.

COMMITTEE REPORT.

Senator Young, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined S. F. No. 38, A bill for an act to amend chapter 4, title XVI of the Code in relation to estates of decedents, and find the same correctly engrossed.

LAFE YOUNG, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Cooley: S. F. No. 77, A bill for an act to amend section 303 of the Code, in relation to the powers of Boards of Supervisors, and to enlarge such powers.

Read a first and second time, and referred to Committee on County and Township Organization.

By Senator Woolson: S. F. No. 78, A bill for an act to compel the recording of instruments affecting title to real estate and to prevent the use of forged title papers.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Cooley: S. F. No. 79, A bill for an act to amend section 295, of chapter 2, title 4 of the Code, in relation to residence of supervisors.

Read first and second time, ordered printed, and referred to Committee on County and Township Organization.

The Governor by his Private Secretary, W. H. Fleming, presented to the President, two communications in writing.

By Senator Woolson: S. F. No. 80, A bill for an act to provide for a Board of State Charities and to define the duties of the same.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Rumble: S. F. No. 81, A bill for an act to amend section 746, chapter 7, title 5 of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

COMMUNICATION FROM THE GOVERNOR.

The President then laid before the Senate the following communication from the Governor:

The report was ordered printed and with the communication referred to the Centennial Committee.

Gentlemen of the Senate and House of Representatives:—I transmit herewith the report of Hon. Robert Lowry of the United States Centennial Commission, to which, and to the printed report of the Iowa Board of Centennial Managers, already before you, I ask your attention. The growth of our State in population and wealth, must for many years to come, depend largely upon immigration. We seek and welcome immigrants from all the States of our nation, and from all the nations of the civilized world. We offer perhaps more

surely than any other portion of our country, certain and bountiful facilities for comfortable living to all coming among us who are willing to work.

A creditable showing at the Centennial Exhibition of the capabilities of our State may do much to bring immigrants among us, and our failure in that regard may work us injury. Aside from this consideration, a proper degree of State pride should lead us to make sure that such of our citizens as may visit the exhibition shall not have cause to feel ashamed of the position our State will occupy there.

I therefore recommend that you make such appropriation as will enable those who may be charged with procuring and exhibiting the products of Iowa, to do so in a plain, economical, but proper manner. I also recommend that you cause to be printed for free distribution at the exhibition a large edition,—say five thousand copies, of our census report for 1875; or a full summary thereof, for the reason that much information as to the wealth, productiveness, resources, and growth of the State (in convenient form for examination and preservation) would thereby be imparted.

SAMUEL J. KIRKWOOD.

EXECUTIVE OFFICE, January 24th, 1876.

REPORT OF UNITED STATES CENTENNIAL COMMISSION.

TO HIS EXCELLENCY SAMUEL J. KIRKWOOD, *Governor of the State of Iowa.*

MY DEAR SIR:—It is made my duty to report to you, annually, the progress and advancement of the United States Centennial Exhibition which will open at Fairmount Park, in the city of Philadelphia, State of Pennsylvania, on the 10th day of May, 1876, and will close on the 10th day of November following.

When the United States Centennial Commission first assembled at Independence Hall in the city of Philadelphia, on the 4th day of March 1872, the Commission had not one dollar in its treasury, not one cent to pay incidental expenses. Wise men shook their heads, the press in the east prophesied that it would be a failure because it was not located at New York, or Boston. Congress, after creating the United States Commission, refused to give one dollar for the Centennial Anniversary of the greatest republican government the world has ever seen, but did appropriate thousands of dollars to send Commissioners to London, Paris, and Vienna. During all this time, all those dark days of the Centennial Exhibition, the Commission continued to meet regularly. Your Commissioner has attended every meeting since his appointment in 1871.

The United States Centennial Exhibition now promises to be a more splendid success than the most sanguine had dared to hope for. Below you will see what has been done, what the foreign nations of the earth have done, what nations will be there represented, and what is yet wanting.

“On the 4th of July, 1874, the first shovel of earth was removed by the Mayor of Philadelphia from the spot on which now stands Memorial Hall. Since that time there have been inclosed for the use of the

Exhibition two hundred and thirty acres. The following buildings have been erected, and have either been completed, or are in a condition to be completed in ample time for the Exhibition.

	ACRES.
The main Building, covering.....	21.47
Art Gallery (Memorial Hall).....	1.50
Machinery Hall.....	14.00
Horticultural Hall.....	1.50
Agricultural Building.....	10.15

Making a total of.....48.62

Add to this, other structures, such as the Government, Leather, Carriage, and Photograph Buildings of about.....12.00
And it will give, of actual flooring for Exhibition purposes, about.....60.00

This is exclusive of the space occupied by the buildings erected by foreign nations, the several states, and for general purposes connected with the Exhibition. The whole of them will not be less in number than one hundred and fifty buildings. Compare this work for a moment with the great exhibitions that have taken place in other parts of the world. The following is a list of Exhibitions elsewhere, with the space covered, and cost of erection:

	YEAR.	SPACE COVERED.	COST.
London.....	1851	20 acres.	\$1,464,000
New York.....	1853	5½ acres.	500,000
Paris.....	1855	30 acres.	4,000,000
London.....	1862	24 acres.	2,300,000
Paris.....	1867	40½ acres.	4,596,763
Vienna.....	1873	50 acres.	9,850,000
Philadelphia.....	1876	60 acres.	6,724,350

Again let me call your attention to the list of foreign nations that have accepted the invitation to take part, with the amounts appropriated for expenses, as far as ascertained:

Great Britain with Australia and Canada (gold).....	\$250,000
France and Algeria.....	120,000
Germany.....	171,000
Russia.....	
Austria.....	75,000
Italy (government).....	38,000
(Chamber of Commerce).....	38,000
Spain.....	150,000
Japan.....	600,000
China.....	
Belgium.....	40,000
Denmark (gold).....	10,500
Sweden.....	125,000
Norway.....	44,000
Netherlands (ample provision, amount not yet known).....	
Portugal.....	
Turkey.....	
Egypt.....	
Brazil.....	
Peru.....	
Bolivia.....	
Chili (owner of all goods exhibited, and all expenses).....	
Haiti.....	
Venezuela (all expenses, amount unlimited).....	
Mexico.....	
Ecuador.....	10,000
Nicaragua.....	
Persia.....	
Liberia.....	
Siam.....	
Guatemala and Salvador.....	
Honduras.....	
United States of Columbia.....	
Hawaii.....	
Argentine Confederation (owner of all goods exhibited).....	60,000
Tunis.....	
Orange Free State.....	

Total.....36 Nations.

FOREIGN NATIONS WHO HAVE ERECTED AND WILL ERECT BUILDINGS.

Great Britain.....	3	Brazil.....	1
Germany.....	1	Sweden.....	2
Japan.....	3	Spain.....	2
Egypt.....	2	Canada.....	1
Australia.....	1	Turkey.....	1
Morocco.....	1		
Buildings.....	17		
Nations.....	11		

SPACE TAKEN BY FOREIGN NATIONS IN EXHIBITION BUILDINGS.

	TOTAL AREA OF BUILD- INGS.	FOREIGN SPACE.
Main Building.....	21.47	12.4
Art Building (to be increased).....	1.5 over.	80 P. C.
Machinery Hall.....	14.00 about.	25 " "
Horticultural Hall.....	1.5	1.7
Agricultural Hall.....	14.15	$\frac{1}{2}$

The following States have had the ground selected within the inclosure, and are having the work prepared for the erection of buildings for the use of their citizens and exhibitors: Ohio, Pennsylvania, Minnesota, Arkansas, Indiana, Illinois, Michigan, New Jersey, New York, Connecticut, Massachusetts, Missouri, Kansas, West Virginia, Nevada, Wisconsin.

The amounts of money which have been subscribed and appropriated toward the work are as follows:

Total stock subscriptions, reliable.....	\$2,357,750
In which are included, New Jersey.....	\$100,000
Delaware.....	10,000
Connecticut.....	10,000
New Hampshire.....	10,000
Wilmington, Delaware.....	5,000
Gifts, concessions, and interest.....	\$135,000
Further receipts from concessions.....	280,000
Appropriation by Pennsylvania.....	100,000
Appropriation by Philadelphia.....	1,000,000
	1,500,000
Making a total of.....	\$5,187,750
Amount still required to prepare for opening up to May 10, 1876.....	1,537,100
Total cost.....	\$1,724,850

Of these subscriptions and appropriations, about ninety per cent. have been furnished by the State of Pennsylvania, and the city of Philadelphia, and their citizens.

I am gratified to learn that the State Centennial Board of Managers have done much toward having the products of Iowa fully represented at the exhibition. All that is now wanting is for the legislature to make a reasonable appropriation to pay the State Board Secretaries of the different groups, expenses of gathering the products and shipping them to Philadelphia.

Iowa should have a house at the exhibition, like her sister States, to be the headquarters of the Hawkeyes, a reception room for ladies and gentlemen; a register to be kept, and all citizens of Iowa to register

their names, their mails to be delivered to them, and all the newspapers in the State sent them.

Yours very truly,

ROBERT LOWRY,

U. S. Centennial Commissioner.

Davenport, January 12, 1866.

COMMUNICATION FROM THE GOVERNOR.

The following communication from the Governor was laid before the Senate which was referred to the Judiciary Committee.

DES MOINES, JANUARY 24, 1876.

Gentlemen of the Senate and House of Representatives:

I desire to call your attention to a question which arises at each recurring election by the General Assembly of managers of the various State Institutions, namely: as to when the terms of office of those managers respectively commence. At present the dates when the Trustees of the Agricultural College and those of the Hospitals for the Insane, respectively take office, only are defined: the former being the first day of May, and the latter on the fourth day of July. A joint resolution, adopted in 1872, fixed the first day of April as the date when the term of the Warden of the Penitentiary should commence; but, as the Code of the following year re-enacts the former law without the modification contemplated by that resolution, it is very doubtful whether the latter is now of force.

It seems to me desirable that, with reference to these agents of the State, there should be the same definiteness in this respect as obtains with regard to other State officers.

SAMUEL J. KIRKWOOD.

RESOLUTION.

Senator Conaway offered the following Concurrent Resolution, which was referred to Committee on State University.

WHEREAS, It is believed by many, that the Medical Department of the State University is sectarian in principle and students are not admitted upon the same equality, therefore

Resolved by the Senate the House concurring, That the Board of Regents be requested to authorize the Faculty to receive applicants from any School of Medicine upon standard qualification, and that certificates and diplomas from any chartered Medical School be recognized upon the same principle, where the same time has been spent in study and the same branches taught.

BILLS ON THIRD READING.

S. F. No. 38, A bill for an act to amend chapter 4, title 16, of the Code in relation to estates of decedents, was taken up and read a third time.

On the question, shall the bill pass, the yeas were:

Senators, Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway,

Cooley, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rumple, Shane, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were:

Senators, Dashiell, Hebard, Miller, and Teale—4.

Absent or not voting:

Senators, Gallup, Jessup, Kinne, Larrabee, Lovell, Maginnis, Murphy, Rothert, and Stoneman—9.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 7, A bill for an act to provide for the appointment of a Board of State Charities and to define the duties of the same, was taken up, with report of committee, recommending amendments, considered and passed on file.

S. F. No. 24, A bill for an act regulating the jurisdiction of justices of the peace, with the report of the committee recommending amendments, and when so amended it do pass.

The report of the committee was adopted.

Senator McCoid moved to suspend the rule and read the bill a third time. The motion prevailed.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumple, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young.—40.

The nays were :

Senator Pease.—1.

Absent or not voting :

Senators Dwelle, Gallup, Jessup, Kinne, Larrabee, Murphy, Rothert, and Stoneman.—9.

So the bill passed and the title was agreed to.

S. F. No. 42½: A bill for an act relating to the recording of United States and State patents for lands, with the report of the committee recommending its passage, was taken up and considered.

Senator Woolson moved to suspend the rule, and read the bill a third time.

The motion was adopted.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rumple, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting—Senators Gallup, Jessup, Kinne, Larrabee, Maginnis, Murphy, Rothert, and Stoneman—8.

So the bill passed and the title was agreed to.

At 3 o'clock and five minutes, on motion of Senator Shane the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 25, 1876. }

Senate met pursuant to adjournment, and was called to order by the president.

Prayer by Rev. H. H. Oneal.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Hartshorn: A petition from citizens of Emmett county, asking relief for certain settlers on Des Moines Valley Railroad Co. lands in said county.

Referred to Committee on Appropriations.

By Senator Wright: A petition from the citizens of Pottawattamie county, asking for an appropriation to replenish the waters of Iowa with fish.

Referred to Committee on Fish and Game.

By Senator Wilson: A petition from citizens of Washington county, asking for a law to compel railway companies to extend and furnish cars to all persons alike in receiving and discharging grain, stock, &c.

Referred to Committee on Railroads.

Senator Campbell was excused from serving on the Committee to visit the Reform School, and the President appointed Senator Miller of Black Hawk to visit the school.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following Concurrent Resolutions, in which the concurrence of the Senate is asked:

Concurrent Resolution to meet in joint convention at 12 o'clock, meridian, to compare and read the journals of both Houses of the election of U. S. Senator, as prescribed by act of Congress.

Also, resolution for the appointment of one visiting committee for the various Orphans' Homes.

BENJ. VAN STEINBURG,
Assistant Clerk.

INTRODUCTION OF BILLS.

By Senator Miller of Appanoose: S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centreville and its ordinances, and the acts of its officers thereunder.

Read first and second time and referred to committee on Municipal Corporations.

By Senator Mitchell: S. F. No. 83, A bill for an act to amend chapter 28 of the acts of the Fifteenth General Assembly.

Read first and second time and referred to Committee on Judiciary.

By Senator Bailey: S. F. No. 84, A bill for an act amendatory to section 1766, chapter 9, title 12, of the Code, in relation to branches to be taught in the common schools of the State.

Read first and second time and referred to Committee on Schools.

By Senator Bestow: S. F. No. 85, A bill for an act to amend section 1, of chapter 2, title 7, of the Code of Iowa of 1873, of working highways.

Read first and second time, and referred to Committee on Highways.

By Senator Woolson: S. F. No. 86, A bill for an act to amend chapter 2, of title 16, of Code of 1873, relating to probate of wills.

Read first and second time and referred to Committee on Judiciary.

By Senator Mitchell: S. F. No. 87, A bill for an act to establish a State Board of Health.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Carr: S. F. No. 88, A bill for an act to amend section 1, chapter 40, of the laws of the Fifteenth General Assembly, to authorize corporations, other than those for pecuniary profit, to change their name and amend articles of incorporation.

Read first and second time and referred to Committee on Insurance.

RESOLUTIONS.

Senator Arnold presented a Joint Resolution, relating to change of acts of Congress granting lands for Agricultural College.

Read first and second time, ordered printed, and referred to Committee on Federal Relations.

HOUSE MESSAGES.

The Senate concurred in House Resolution relative to one committee visiting the Orphans' homes at Cedar Falls and Davenport.

The following House Resolution was taken up and considered:

WHEREAS, The organization of this General Assembly was perfected on Tuesday, January 11, 1876; and,

WHEREAS, Doubts exist as to whether the action of this General Assembly in voting for United States Senator in Congress on Tuesday, January 18, 1876, is in conformity with the acts of Congress requiring such election to be held on the second Tuesday after the meeting and organization of the Legislature; therefore,

Resolved by the House of Representatives, the Senate concurring,

That each House shall, on Tuesday the 25th day of January, 1876, proceed to the election of a United States Senator in Congress, for the time and in the manner prescribed by law, and that at twelve o'clock, meridian, of January 26, 1876, the two Houses shall convene in Joint Assembly to compare and read their respective journals of such election and to declare the result as provided by law.

Not intending however to negative hereby or imply invalidity in the action of either House or of the two Houses in Joint Convention heretofore on the 18th and 19th day of January, 1876, respecting the election of a United States Senator.

Senator Teale moved to strike out the last clause of the resolution.

The motion did not prevail.

On concurring in the resolution the yeas and nays were demanded, and the yeas were—

Senators Arnold, Bailey, Bestow, Carr, Clark, Dashiell, Gilmore, Harmon, Hebard, Hersey, Hitchcock, Larrabee, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rumple, Shane, Willett, Williams, Wood, Wright, and Young—26.

The nays were—

Senators Campbell, Conaway, Dows, Dwelle, Gallup, Graham, Hartshorn, Lovell, McCoid, McCormack, Merrell of Clinton, Newton, Teale, Thornburg, Wilson, Wonn, and Woolson—18.

Absent or not voting—

Senators Cooley, Jessup, Kinne, Maginnis, Rothert, and Stoneman—6.

So the Senate concurred in the House resolution.

Senator Shane moved that the Senate proceed to elect a United States Senator for the term commencing March 4, 1877.

The motion prevailed.

Senator Shane nominated Samuel J. Kirkwood for that office.

Senator Murphy nominated P. B. S. Pinchback for the same office.

The roll was called with the following result:

Whole number of votes cast.....	44
Necessary to a choice.....	23
Of which Mr. Kirkwood received.....	38
Of which Mr. Leffler received	4
Of which Mr. Pinchback received.....	1
Of which Mr. Allen received.....	1

Whereupon Samuel J. Kirkwood having received a majority of all the votes cast, was declared to be the choice of the Senate for Senator in Congress for the term commencing March 4, 1877.

Those voting for Mr. Kirkwood were—

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumple, Shane, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young—38.

Those voting for Mr. Leffler were—

Senators McCormack, Merrell of Clinton, Pease, and Wilson—4.

Those voting for Mr. Pinchback were—

Senator Murphy—1.

Those voting for Mr. Allen were—

Senator Wonn—1.

Absent or not voting—

Senators Cooley, Jessup, Kinne, Maginnis, Rothert, and Stoneman—6.

REPORTS OF COMMITTEES.

Senator Carr from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined S. F. No. 16, An act to legalize the incorporation of the Clermont Printing Company, and find the same correctly enrolled.

H. C. CARR, *Chairman.*

Senator Willett from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. Nos. 2, 4, and 13, Bills for acts to define the crime of swindling and to punish the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend that the substitute do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Hersey, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 19, a bill for an act to amend Section 3789, of the Code of 1873, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 44, a bill for an act to amend section 3809, of the Code of 1873, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 51, a bill for an act to amend section 3774, of the Code of 1873, in relation to District and Circuit Judges, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended by striking out of next to last line the words "three thousand," and inserting in lieu thereof "twenty-five hundred," and that so amended it do pass.

L. G. HERSEY, *Chairman*.

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred Senate File No. 72, a bill for an act to repeal Section 963 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

Your Committee on Highways, to whom was referred Senate File No. 62, a bill for an act to amend Section 921 of the Code, relating to the width of roads in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

J. WILSON WILLIAMS, *Chairman*.

A committee from the House announced that the House would be ready to receive the Senate in joint assembly to-morrow at meridian, for the purpose of comparing the journals of the two Houses, touching the election of United States Senator.

At 12 o'clock and 5 minutes the Senate, on motion Senator Miller of Black Hawk, adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, January 26, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. P. Cowan.

Journal of yesterday read and approved.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Campbell: A petition from the citizens of Jasper county asking for an appropriation to allow the militia of Iowa, an encampment at the Centennial.

Referred to Centennial Committee.

By Senator Campbell: A petition from the citizens of Marion county, praying for the exemption from tax for a certain time, of various manufacturing interests.

Referred to Committee on Ways and Means.

By Senator Mitchell: A petition from the citizens of Jasper county, asking for the continued enactment of the law in regard to intoxicating liquors, as found in chapter 6, title 21 of the Code.

Referred to Committee on Suppression of Intemperance.

By Senator Kinne: A petition from citizens of Allamakee county, asking for a Homeopathic chair in the State University.

Referred to Committee on State University.

By Senator Dwelle: A memorial of the Iowa State Horticultural Society.

Referred to Committee on Horticulture and Forestry.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 93, A bill for an act to amend section 767, of the Code of 1873, concerning Deputies.

H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in the county of Howard, Iowa.

Also the House has adopted resolution of the Senate in reference to the improvement of the navigation of the upper Mississippi river.

BENJ. VAN STEINBURG,
Assistant Clerk.

Senator Cooley was excused on account of sickness.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 89, A bill for an act to amend sections 4254 and 4691 of the Code.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Wonn: S. F. No. 90, A bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873.

Read first and second time, ordered printed and referred to Committee on Highways.

By Senator Mitchell: S. F. No. 91, A bill for an act to amend section 3767 of the Code of 1873.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Dashiell: S. F. No. 92, A bill for an act to repeal section 2340 of the Code, and to enact a substitute therefor.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Shane: S. F. No. 93, A bill for an act to amend section 2440 of the Code of Iowa.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Nichols: S. F. No. 94, A bill for an act to repeal section 831 of the Code and to provide a substitute therefor.

Read first and second time, ordered printed and referred to Committee on Judiciary.

RESOLUTION.

Senator Perkins presented a Joint Resolution relating to the act of Congress of 1866 fixing the time for the election of United States Senator.

Read first and second time, and referred to a Select Committee of one, consisting of Senator Dashiell.

CONCURRENT RESOLUTION.

Senator Lovell offered the following Concurrent Resolution, which was adopted:

Resolved by the Senate the House concurring, That the Visiting Committee appointed to visit the penitentiary at Anamosa, be instructed to visit the State quarries in person, and report to the General Assembly the capacity of said quarry to furnish rock for the completion of said penitentiary.

Senator Wilson presented a Joint Resolution agreeing to proposed amendments to the State Constitution.

Read first and second time; ordered printed and referred to Committee on Constitutional Amendments.

HOUSE MESSAGES.

H. F. No. 93., A bill for an act to amend section 767 of the Code of 1873 concerning deputies.

Read first and second time and referred to Committee on Judiciary.

H. F. No. 114, A bill for an act to legalize the levy of certain bridge taxes in the county of Howard, Iowa.

Read first and second time.

. On motion of Senator Willett, the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hershey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were:

Senators Hartshorn, Shane, and Teale.—3.

Absent and not voting:

Senators Clark, Cooley, Maginnis, Miller of Black Hawk, and Rothert.—5.

So the bill passed and the title was agreed to.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred S. F. No. 27, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and to re-enact section 3812 of the Code relating to the pay of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate Files No. 17 and 18, bills for acts to increase the number of Judges of the Supreme Court, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate File No. 64, a bill for an act amendatory of section 156, chapter 4, title 3, of the Code, relating to the publication of the reports of the Supreme Court, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate, with the recommendation that it do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Campbell, from special committee on Report of Clerk of Supreme Court, submitted the following report:

MR. PRESIDENT:—Your special committee, to whom was referred report of Clerk of Supreme Court in relation to fees in his office, begs leave to report that he has had the same under consideration and reports the same back to the Senate with an additional report in regard to per diem, etc., for attending argument terms of Supreme Court, as follows:

To the Honorable Senate, Sixteenth General Assembly:

In addition to my former report, by request of committee, I beg leave to report total amount of per diem received:

At Council Bluffs, two terms.....	\$ 45.00
At Davenport, two terms.....	45.00
At Dubuque, two terms.....	100.00

Total.....	\$190.00
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I paid for necessary expenses during said terms more than . . \$194.00

Respectfully submitted,

E. J. HOLMES, *Clerk.*

F. T. CAMPBELL.

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 6, A bill for an act to amend Section 3793, of the Code of 1873, in relation to Compensation of County Treasurers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments, and when so amended that it do pass: Insert in the fourth line after the words fifty-thousand dollars, the words "up to one hundred thousand dollars, and one-half per cent. on all sums over one hundred thousand dollars." Insert in third line of Section 2, after the words County Treasurer, "But in no case shall compensation exceed the sum of \$2,500.00 per annum." Insert in fourth line of Section 11, after office, the words "The number and compensation to be determined by the Board of Supervisors." Add Section four, publication clause.

L. G. HERSEY, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means to whom was referred S. F. No. 56, a bill for an act to amend section 1, chapter 28, of the laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined Joint Resolution relative to a Commercial Highway by water between the Mississippi and Lake Michigan via the Valley of the Fox and Wisconsin rivers, and also S. F. No. 52, A bill for an act to legalize the acts of the council of the city of Mount Pleasant, in relation to the levy of taxes, and find the same correctly enrolled.

H. C. CARR, *Chairman.*

BILLS ON SECOND READING.

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling, and to punish the same; reported by the Committee on Judiciary, with the recommendation that it be adopted and do pass, was taken up and considered.

Senator Willett moved to amend by striking out the words "and even" in eleventh line of section three. The motion prevailed.

Senator Campbell moved to amend by striking out the word "one" in seventh line in section one, and insert in lieu thereof the word "two." The motion was adopted.

Senator Dashiell moved to amend by striking out the words in the second and third lines of the first section, or any other form or device, sleight of hand, pretensions to fortune telling or any other means by use of cards or other instruments or implements, and insert in lieu thereof the following words "or any such confidence game, play or practice."

The motion was lost.

Senator McCoid moved to strike out of third line, in section one, the words "or other implements," and insert after the word "instruments" in same line, the words of "like character."

The motion was agreed to.

Senator Stoneman moved to amend section one, by inserting after the word "character" in third line, the word "fraudulently."

The motion was agreed to.

Senator Larrabee moved to amend section one, by striking out of sixth line the words "five hundred" and insert the words "two hundred."

The motion did not prevail.

Senator Dashiell moved to amend section one by striking out of fifth line the words "crime of swindling" and insert the word "felony."

The motion was lost.

Senator Dashiell moved to amend section one, by striking out of eighth line the word "confederating."

The motion did not prevail.

Senator McCoid moved to amend section one, by inserting in eighth line, after the word "confederating," the word "with."

The amendment prevailed.

Senator Dashiell moved to amend section two, by striking out all after the word "conveyance" in second line, down to and including the word "depot" in third line, and insert, "engaged in a trip or voyage in this State."

The motion was lost.

Senator Hartshorn moved to amend section three, by striking out the word "private" in first line.

The amendment was agreed to.

Senator Dashiell moved to amend section four, by striking out after the word "person" in third line, all down to and including the word "or" in fourth line.

On motion of Senator Shane the further consideration of the bill was made a special order for 10 1-2 o'clock to-morrow morning.

Senator Shane moved that a committee of two be appointed to notify the House that the Senate was now ready to meet them in Joint Convention.

The motion prevailed.

The President appointed Senators Shane and Jessup, such committee.

The committee appointed to notify the House that the Senate was ready to meet them in Joint Convention, reported that duty performed, and were discharged.

At 12 o'clock the Senate repaired to the hall of the House of Representatives.

JOINT CONVENTION.

Lieutenant Governor Newbold called the Joint Convention to order and stated the object of the convention to be: to compare the Journals of both Houses on the election of United States Senator.

The Senate Journal was then read.

The House Journal was then read.

Samuel J. Kirkwood having received a majority of the votes cast in both Houses, Senator Young offered the following resolution which was adopted:

Resolved by the General Assembly of the State of Iowa, in Joint Session Assembled, Pursuant to the act of congress regulating the time and manner of holding elections for Senators in congress, approved July 25th, 1866, that Samuel J. Kirkwood be declared the Senator elect from this State in the Congress of the United States for the term of six years from the 4th of March, 1877.

On motion of Mr. Williams, the Joint Convention dissolved.

At 12 o'clock and ten minutes the Senate returned to its chamber.

At 12 o'clock and fifteen minutes, on motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 27, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. W. H. H. Rees.

Yesterday's journal read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I herewith present for your signature the following bills and resolution which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate File No. 16, A bill for an act to legalize the incorporation of the Clermont Printing Company.

Senate File No. 52, A bill for an act to legalize the acts of the Council of the City of Mt. Pleasant in relation to the levy of taxes.

Memorial and joint resolution in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan via the valley of the Fox and Wisconsin rivers.

Also, the House has passed the following bill in which concurrence of the Senate is asked:

House File No. 172, A bill for an act to amend section 765 of the Code, in relation to the power of commissioners appointed by the Governor.

BENJ. VAN STEINBURG,
Assistant Clerk.

Senator Shane was excused from serving on the committee to visit the Insane Asylum at Mt. Pleasant, and Senator Conaway was appointed by the President to visit that institution.

Senator Cooley was, on account of sickness, excused from serving on the committee to visit the Iowa State University, and the President appointed Senator Perkins to visit that institution.

Senator Wilson was granted leave of absence until Friday next.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Murphy: A memorial and resolutions from a mass meeting of Catholics of Davenport, protesting against the passage of the constitutional amendment prohibiting the division of the common school fund.

The memorial was referred to the Committee on Constitutional Amendments.

The hour for the special order having arrived, substitute for Senate Files No. 2, 4 and 13, a bill for an act to define the crime of swindling, and to punish the same, was taken up, and, on motion of Senator Willett, the substitute was referred back to the Committee on Judiciary.

By Senator Hartshorn: A memorial from the citizens of Clay county, relative to the completion of the McGregor and Missouri River Railroad.

Referred to Committee on Railroads.

By Senator Larrabee: A petition from the citizens of Fayette county, asking that the McGregor Western Railroad Land Grant may be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Graham: A petition from the citizens of Warren county, praying for a change in the exemption laws, by which the wages of a laboring man can be attached in certain cases.

Referred to Committee on Judiciary.

On motion of Senator Dows, S. F. No. 6, A bill for an act to amend section 3793 of the Code, in relation to compensation of County Treasurers, was made a special order for to-morrow at eleven o'clock.

INTRODUCTION OF BILLS.

By Senator Kinne: S. F. No. 95, A bill for an act making a grant of lands to the Iowa, Dakota and Black Hills Railway Company and to execute the trust conferred by act of Congress approved May, 12th, 1874.

Read first and second time, ordered printed and referred to Committee on Railroads.

By Senator Arnel: S. F. No. 96, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of Railroads.

Read first and second time, ordered printed and referred to Committee on Ways and Means.

By Senator Gallup: S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

Read first and second time, ordered printed and referred to Committee on Agricultural College.

By Senator Gallup: S. F. No. 98, A bill for an act granting authority to the Board of Trustees of Iowa Agricultural College, to establish an agency for leasing, re-leasing and sale of College Endowment lands.

Read first and second time, ordered printed and referred to Committee on Agricultural College.

By Senator Rumble: S. F. No. 99, A bill for an act to extend aid to the State University of Iowa.

Read first and second time, and referred to Committee on State University.

By Senator Dashiell: S. F. No. 100, A bill for an act to amend section 4228 of the Code and to repeal that part of said section which provides for a change of venue on a preliminary examination.

Read first and second time, and referred to Committee on Judiciary.

By Senator Dashiell: S. F. No. 101, A bill for an act to amend section 3901 of the Code.

Read first and second time, and referred to Committee on Commerce.

By Senator Hebard: S. F. No. 102, A bill for an act to amend section 3798 of the Code of Iowa, in relation to compensation of County Auditors.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator Rumble: S. F. No. 103, A bill for an act appropriating money for the aid, and maintenance of the State University.

Read first and second time, and referred to Committee on State University.

On motion of Senator Gallup, S. F. No. 67, A bill for an act to enable incorporated towns, cities and townships to aid in the construction of railroads, was withdrawn from the Committee on Judiciary and referred to Committee on Ways and Means.

RESOLUTION.

Senator Perkins presented the following resolution:

Resolved, That while we recognize the favorable conditions of Iowa, topographically and geographically, to wind, and while we disclaim all ability to prevent the same from blowing where it listeth, we believe that a controlling influence may be exercised under a judicious system of hedging; and therefore we commit ourselves to the policy of hedging, hoping thereby, with proper industry, to conserve the interests of economy and reform by securing a dead calm in this chamber, at the word March!

Senator Hartshorn moved to refer the resolution to Committee on Federal Relations.

Senator Perkins moved to amend by striking out "Federal Relations" and insert "Agriculture."

The amendment prevailed and the resolution was so referred.

HOUSE MESSAGES.

H. F. No. 172, A bill for an act to amend section 765 of the Code in relation to the power of commissioners appointed by the Governor, was taken up.

Read first and second time.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question "Shall the bill pass?" the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Miller of Appanoose, Murphy, Newton, Pease, Perkins, Rothert, Ruple, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were: None.

Absent or not voting:

Senators Cooley, Hitchcock, Jessup, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Nichols, Teale, and Wilson—11.

So the bill passed and the title was agreed to.

Senators McCoid and Mitchell were granted leave of absence.

Senator Dashiell moved to reconsider the vote by which H. F. No. 172, A bill for an act to amend section 765 of the Code, in relation to the power of commissioners appointed by the Governor, was ordered to a third reading.

The motion did not prevail.

COMMITTEE REPORTS.

Senator Young, from the Committee on Printing, submitted the following report:

MR. PRESIDENT:—Your Committee on Printing, to whom was referred concurrent resolution ordering the printing of certain documents in the German language, ask the privilege of stating that they have considered the same, and a majority of said committee have instructed me to recommend the adoption of said resolution. The committee would also state that they have not ascertained the cost of the printing contemplated, but are of the opinion that the work can be done at the price fixed by law, with an addition of a reasonable sum for translation.

LAFE YOUNG, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 59, A bill for an act to provide for bonding county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to

the Senate with the recommendation that it do pass with the following amendment: "Any member of a board of supervisors voting to order an issue of bonds, under this act, in excess of the constitutional limit, shall be held personally liable for the excess of such issue."

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 55, A bill for an act to amend chapter 7, of title 14 of the Code, in relation to assignments for the benefit of creditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 83, A bill for an act to amend chapter 28 of the acts of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

The report of the committee was adopted.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 81, A bill for an act to amend section 746, chapter 7, title 5 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that the original bill is correct and the error intended to be corrected is only a misprint, they therefore recommend that the bill be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 50, A bill for an act providing a seal for the office of Adjutant-General of the State, and that he be authorized to administer oaths, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "Iowa" from the fifth line of the third section, and that thus amended it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 46, A bill for an act to amend section 2951, of chapter 1, of title 18 of the Code of 1873, of attachments, executions and supplementary proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Conaway, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred Senate File No. 28, a bill for an act to amend section, 866, chapter 2, title 6, of the Code, in relation to the rate per cent. on delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred Senate File No. 9, a bill for an act to amend section 875, chapter 2, title 6, of the Code, in relation to the sale of town lots and other lands for delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred Senate File No. 23, a bill for an act to amend section 560, chapter 12, of the Code, in relation to plots of land, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following, viz:

Senate File No. 16, An act to legalize the incorporation of the Clermont Printing Company.

Senate File No. 52, An act to legalize the acts of the Council of the City of Mt. Pleasant in relation to the levy of taxes.

Memorial and joint resolution in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan via the valley of the Fox and Wisconsin rivers.

H. C. CARR, *Chairman.*

BILLS ON SECOND READING.

Senator Shane moved to take up substitute for Senate Files No. 17 and 18, A bill for an act to increase the number of Judges of the Supreme Court.

The motion prevailed, and the substitute was taken up, considered, and adopted.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

Senator Larrabee moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

Senator Larrabee moved to strike out the first three lines in section three.

The motion was lost.

The substitute was then adopted.

The question recurring on the motion of Senator Willett to suspend the eleventh rule, it was agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Merrell of Clinton, Miller of Appanoose, Murphy, Pease, Perkins, Rotherb, Rumples, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Campbell, Lovell, McCormack, and Newton—4.

Absent or not voting:

Senators Cooley, Hitchcock, Jessup, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Nichols, Teale, and Wilson—11.

So the bill passed and the title was agreed to.

Senator Pease was granted leave of absence.

At 12 o'clock and five minutes, on motion of Senator Young the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, January 28, 1876. }

Senate met pursuant to adjournment, and was called to order by the president.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following resolution which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Memorial and Joint Resolution in reference to the improvement of the navigation of the Upper Mississippi River.

Also, the House has passed the following bills in which the concurrence of the Senate is asked:

H. F. No. 7, A bill for an act to repeal section 390 of the Code, relating to Township Officers.

H. F. No. 47, A bill for an act to amend section 936 of the Code, in relation to the publication of road notices.

BENJ. VAN STEINBURG,
Assistant Clerk.

COMMITTEE REPORTS.

By leave, Senator Willett from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for S. F. Nos. 2, 4, and 13, Bills for an act to define the crime of swindling and to punish the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "pretensions to fortune telling" in the second and third lines of section 1. The word "fraudulently" at the end of the third line of said section 1. The word "five" being the second word in the sixth line of said section 1, and insert the word "two" in lieu thereof. After the word "act" in the sixteenth line of section 3 insert the words "nor of the offense of gambling," and strike out the words "gambler or" from the fourth line of fourth section, and that so amended it do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Clark was excused until Monday.

PETITIONS AND MEMORIALS.

By Senator Harmon: A petition from the citizens of Independence praying that the so called McGregor Western Railroad Land Grant, be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Bailey: A like petition from the citizens of Waverly, referred to same committee.

By Senator Jessup: Two petitions from the citizens of Iowa, praying the Legislature not to repeal the law of our State which abolishes the demoralizing practice of capital punishment.

Referred to Committee on Judiciary.

By Senator Kinne: A petition from the citizens of Lansing praying that the so called McGregor Western Railroad Land Grant, be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

The President laid before the Senate, a memorial from Wm. S. Wilson, proprietor of the Morehead Clay Works, at Philadelphia, Pa., in reference to a claim against the Insane Asylum at Independence for pipe furnished.

Referred to Committee on Claims.

By permission, Senator Rothert presented a memorial from the Iowa State Agricultural Society, and introduced S. F. No. 104, A bill for an act for the relief and support of the Iowa Agricultural Society.

The bill was read first and second time and with the memorial was ordered printed and referred to Committee on Appropriations.

By Senator Gilmore: A petition from the citizens of Mahaska county praying the Legislature to ratify the action of the Fifteenth General Assembly, submitting to the people, at the next general election, the proposition to strike the word "male" from our State Constitution.

Referred to Committee on Constitutional Amendments.

By Senator Stoneman: A petition from the citizens of McGregor, and one from the citizens of Clayton, praying that the so-called McGregor Western Railroad Land Grant, be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Hartshorn: A petition from the Bar of Kossuth county asking that the Fourth Judicial District be divided, and the Fourteenth Judicial District be created.

Referred to Committee on Judicial Districts.

INTRODUCTION OF BILLS.

By Senator Bestow: S. F. No. 105, A bill for an act to repeal section 3327 of the Code of 1873, title 20, chapter 4, concerning satisfaction of mortgages.

Read first and second time, and referred to Committee on Judiciary.

By Senator Mitchell: S. F. No. 106, A bill for an act to amend section 1212 of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

By Senator Wood, S. F. No. 107, A bill for an act to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics and to assign certain duties to local Boards of Health.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Wright, S. F. No. 108, A bill for an act to provide the erection of the west lateral wing, and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

Read first and second time, ordered printed, and referred to Committee on Institution for Deaf and Dumb.

By Senator Wonn, S. F. No. 109, A bill for an act to amend Section 1289, of the Code of 1873.

Read first and second time, ordered printed, and referred to Committee on Railroads.

Also, S. F. No. 110, A bill for an act in relation to the satisfaction of mortgages.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

SPECIAL ORDER.

The hour for the consideration of S. F. No. 6, A bill for an act to amend Section 3793 of the Code, in relation to Compensation of County Treasurers, with the report of the Committee recommending amendments, was taken up and considered.

Senator Hartshorn moved to lay the bill upon the table, print it and

the amendments proposed by the Committee, and make it a special order for next Tuesday morning at 10½ o'clock.

The motion did not prevail.

Senator Stoneman moved that the bill with the amendments recommended by the Committee, be printed and made a special order for Tuesday morning next, at 10½ o'clock.

The motion was agreed to.

The Senate then resumed the regular order of business.

INTRODUCTION OF BILLS.

Senator Woolson, S. F. No. 111, A bill for an act to repeal section 982, of chapter 2, title 7, of the Code of 1873, relating to expenditure of highway tax, and to enact a substitute therefor.

Read first and second time, ordered printed, and referred to Committee on Highways.

Also, S. F. No. 112, A bill for an act to repeal section 3791, chapter 2, title 23, of the Code of 1873, relating to Compensation of County Supervisors, and to enact a substitute therefor.

Read first and second time, ordered printed, and referred to Committee on County and Township Organization.

By Committee on Compensation of Public Officers, S. F. No. 113, A bill for an act to amend chapter 1, title 23, of the Code of Iowa, relating to compensation of officers.

Read first and second time, ordered printed, and passed on file.

By Senator Graham, S. F. No. 114, A bill for an act to protect the people of Iowa against Empiricism.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

RESOLUTIONS.

Senator Shane offered the following Resolution which was adopted:

Resolved, That, on and after Tuesday, the 1st day of February 1876, the Senate will hold two daily sessions, commencing at 10 A. M. and 2 P. M., except that on Wednesdays, and Saturdays of each week, there shall be but one session on each day.

HOUSE MESSAGES.

H. F. No. 7, A bill for an act to repeal section 890 of the Code relating to township officers, and to enact a substitute therefor, was taken up, read first and second time, and referred to Committee on Municipal Corporations.

H. F. No. 47, A bill for an act to amend section 936 of the Code, in relation to the publication of road notices, was taken up, read first and second time, and referred to Committee on Highways.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined memorial and joint resolution in reference to the improvement of the navigation of the Upper Mississippi River, and find the same correctly enrolled.

Also, the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have presented to the Governor for his approval memorial and joint resolution in reference to the improvement of the navigation of the Upper Mississippi River.

H. C. CARR, *Chairman*.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways to whom was referred Senate File No. 57, A bill for an act to destroy noxious weeds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend that the said substitute be adopted and do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Highways to whom was referred Senate File No. 85, A bill for an act to amend sec. 1 of chapter 2, title 7 of the Code, in relation to working highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

Senator Hersey from the Committee on Compensation of Public Officers submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. Nos. 37 and 102, bills for acts in relation to compensation of County Auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that they do not pass.

L. G. HERSEY, *Chairman*.

Ordered passed on file.

Senator Dashiell from the Committee on Constitutional Amendments submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution, agreeing to a proposed amendment to section 4 of article 3 of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute therefor be adopted.

HENRY L. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Larrabee from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 39, a bill for an act in relation to taxation of the property of religious societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that with the following amendments it do pass.

Strike out sections 1, 2, and 3, and insert in lieu thereof as follows: "That all property of religious societies not in actual use for public worship, parsonage, school, or cemetery purposes shall be assessed and taxed the same as that of individuals."

Strike out of the first line of section 4, the word "church." In the second line of section 4, strike out the words "or the section to which the same is amendatory." Strike out of the third line of section 4, the figure "8" and insert "4." Strike out of the fifth line of section 4, the words "as a place of worship," and insert in lieu thereof "for purposes named in section one of this act." Add as section 5, "all acts inconsistent with this act are hereby repealed."

WM. LARRABEE, *Chairman*.

Ordered printed and passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 25, A bill for an act to amend section 3084 of title 16, chapter 2 of the Code of 1873, in reference to surplus on sales on execution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 86, A bill for an act to amend chapter 2, title 16 of Code of 1873, relating to probate of wills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873, concerning deputies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 92, A bill for an act to repeal section 2340 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that while in their opinion the bill has many good features, yet, in other respects, they consider the passage of the bill would endanger the estates of decedents; they therefore recommend that it be indefinitely postponed.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Senators Arnold and Gallup were granted leave of absence until Tuesday.

BILLS ON SECOND READING.

On motion of Senator Willett, substitute for S. F. Nos. 2, 4, and 13, a bill for an act to define the crime of swindling and to punish the same, with the report of the committee recommending amendments, and when so amended that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Larrabee moved to amend by striking out section four.

The motion did not prevail.

Senator Dashiell moved to amend section four, by striking out all after the word "person," in the third line, down to the word "who," in fourth line.

Pending the discussion of which, Senator Jessup moved to adjourn.

The motion was lost, and the discussion of the bill resumed.

Senator Rumble moved that the further consideration of this bill be made a special order for next Tuesday afternoon at 2½ o'clock.

The motion was agreed to.

On motion of Senator Woolson, S. F. No. 80, A bill for an act to provide for a Board of State Charities, and to define the duties of the same, was withdrawn from the Committee on Judiciary, and referred to a special committee, of which Senator Jessup is chairman.

Senate File No. 7, A bill for an act to create a Board of State Charities and to define their duties, with report of committee recommending amendments, was referred to same committee.

At 12:40 P. M., the Senate, on motion of Senator Rumble, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 29, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. W. H. W. Rees.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

House File No. 114, a bill for an act to legalize the levy of certain bridge taxes in the county of Howard, Iowa.

Also, the House of Representatives has passed concurrent resolution requesting the Secretary of State to furnish County Auditors with

printed slips of the laws that go into effect after publication, in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Kinne: A petition from the citizens of New Albion, Allamakee county, also one from citizens of Harper's Ferry, Allamakee county, asking that the so-called McGregor Western Railroad Land Grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Bailey: A petition from the citizens of Chickasaw and Floyd counties, on same subject, which was referred to same committee.

By Senator Jessup: A petition from seven hundred citizens of Iowa, praying for the continued enactment of the law abolishing capital punishment.

Referred to Committee on Judiciary.

By Senator Dwelle: A petition from the citizens of Hancock county, praying for the distribution of railroad taxes.

Referred to Committee on Railroads.

By Senator Wright: A petition from the citizens of Pottawattamie county, asking for a homeopathic chair in the Iowa State University.

Referred to Committee on State University.

INTRODUCTION OF BILLS.

By Senator Perkins: S. F. No. 115, A bill for an act for the punishment of players of three card monte, and other confidence games, and of persons selling on railroad trains prize packages, and other prizes, or offering the same for sale.

Read first and second time, ordered printed and passed on file.

By Senator Wonn: S. F. No. 116, A bill for an act authorizing lands subject to overflow, and wet lands to be drained, and authorizing the erection of levees, etc.

Read first and second time, ordered printed and referred to Committee on Internal Improvements.

By Senator Harmon: S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

Read first and second time, ordered printed and referred to Committee on Hospital for Insane at Independence.

By Senator Newton: S. F. No. 118, A bill for an act to abolish the office of school district treasurer, and to provide for the direct disbursement of school funds by county treasurers.

Read first and second time, ordered printed and referred to Committee on Schools.

By Senator Miller of Appanoose: S. F. No. 119, A bill for an act to amend section 1539 of the Code of 1873, title 11, chapter 6, relating to sale of intoxicating liquors.

Read first and second time, ordered printed and referred to Committee on the Suppression of Intemperance.

RESOLUTIONS..

Senator Bailey offered the following concurrent resolution, which was not agreed to:

Resolved by the Senate, the House concurring, That this General Assembly do adjourn for a recess from Thursday, February 3rd, 1876, at noon, to Tuesday, February 15, 1876, at 10 o'clock A. M.

HOUSE MESSAGES.

House Resolution requiring the Secretary of State to send county auditors printed slips of each law that goes into effect from and after publication, was taken up and considered.

Senator Campbell moved to amend, by inserting the word "general" after the word "each" and before the word "law."

The motion was agreed to, and the resolution, as amended, was adopted.

REPORTS OF COMMITTEES.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 36, A bill for an act relating to the coupling of railroad cars, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred a petition asking a change in exemption law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that, in their opinion, no legislation is needed.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

- MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined H. F. No. 114, An act to legalize the levy of certain bridge taxes in the county of Howard, Iowa, and find the same correctly enrolled.

Also, the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have submitted to the Governor for his approval, H. F. No. 114, An act to legalize the levy of certain bridge taxes in the county of Howard, Iowa.

H. C. CARR, *Chairman.*

Senator Dashiell, from the Special Committee on Joint Resolution, submitted the following report:

MR. PRESIDENT: Your Special Committee to whom was referred the

Joint Resolution relating to the act of Congress fixing the time for the election of United States Senators, would beg leave to report that he has had the same under consideration and reports the same back to the Senate with the recommendation that it be amended by striking out the words "interpretation of" in the fifteenth and sixteenth lines, and inserting instead thereof the words "amendment to." Having thus reported the Committee would respectfully ask to be discharged.

HENRY L. DASHIELL, *Committee.*

Ordered passed on file.

Senator McCormack was excused until Tuesday.

Senator Mitchell was excused until Monday, Senator Wright until Tuesday, and Senator Rothert until Wednesday next.

BILLS ON SECOND READING.

S. F. No. 86, A bill for an act to amend chapter 2, of title 16, of Code of 1873, relating to probate of wills, was on motion of Senator Willett, taken up and considered.

Senator Willett moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Newton, Perkins, Rothert, Rumpel, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—32.

The nays were none.

Absent or not voting:

Senators Arnold, Clark, Conaway, Cooley, Gallup, Hebard, Hersey, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Teale, and Wilson—18.

So the bill passed and the title was agreed to.

Senator Hartshorn moved to take up joint resolution, relating to striking out the words, "free white" from the State constitution.

The motion prevailed, and the joint resolution with the report of the committee recommending a substitute was taken up and considered.

The substitute was adopted.

On motion of Senator Bestow, the eleventh rule was suspended, and the joint resolution was read a third time.

On the question, shall the joint resolution pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Newton, Perkins, Rothert, Rumpel, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—33.

The nays were none.

Absent or not voting:

Senators Arnold, Clark, Conaway, Cooley, Gallup, Hebard, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Teale, and Wilson—17.

So the joint resolution passed and the title was agreed to.

S. F. No. 19, A bill for an act to amend section 3789 of the Code was, with report of committee recommending amendments, and when so amended it do pass, taken up and considered.

Senator Woolson moved to amend section 1 by adding: "in each county with a population of not less than 15,000 nor more than 20,000 inhabitants, not less than one hundred and fifty dollars."

Senator Campbell moved to recommit the bill and amendments to the Committee on Compensation of Public Officers.

The motion prevailed.

S. F. No. 44, A bill for an act to amend section 3809 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Perkins moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Newton, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, and Young—32.

The nays were none.

Absent or not voting :

Senators Arnold, Clark, Conaway, Cooley, Gallup, Hebard, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Teale, Wilson, and Wright—18.

So the bill passed and the title was agreed to.

S. F. No. 51, A bill for an act to amend section 3724 of the Code, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and made a special order for Wednesday at 10:30 A. M.

S. F. 62, A bill for an act to amend section 921 of the Code relating to width of roads in certain cases, with the report of the committee recommending its passage, was taken up and considered.

Senator Dashiell moved to print the bill.

The motion was lost.

Senator Merrell of Clinton moved to suspend the eleventh rule and read the bill a third time now.

The motion was adopted.

On the question shall the bill pass, the yeas were :

Senators Bailey, Bestow, Campbell, Carr, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Newton, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—33.

The nays were none.

Absent or not voting :

Senators Arnold, Clark, Conaway, Cooley, Gallup, Hebard, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Teale, and Wilson—17.

So the bill passed and the title was agreed to.

S. F. No. 72, A bill for an act to repeal section 963 of the Code of

1873, and to enact a substitute therefor, with the recommendation of the committee that it do pass, was taken up and considered.

On motion of Senator Carr, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hasey, Hitchcock, Jessup, Kinne, Larrabee, Merrill of Clinton, Miller of Appanoose, Newton, Perkins, Rothert, Rump, Shane, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—30.

The nays were:

Senators Dashiell, and Lovell—2.

Absent or not voting:

Senators Arnold, Clark, Conaway, Cooley, Dows, Gallup, Hebard, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Teale, and Wilson—18.

So the bill passed and the title was agreed to.

S. F. No. 27, A bill for an act to repeal chapter 32 of the Public Laws of the Fifteenth General Assembly, and to enact a substitute therefor, with the report of the committee recommending its passage was taken up, considered and passed on file.

S. F. No. 58, A bill for an act to repeal chapter 32 of the Public Laws of the Fifteenth General Assembly, with the report of the committee recommending that it be indefinitely postponed, was taken up, considered and passed on file.

Senator Graham moved that when the Senate adjourn, it adjourn until Monday next at 2 o'clock P. M.

The motion prevailed.

On motion of Senator Hartshorn, at 12 M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 31, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. Telleen.

Journal of Saturday read and approved.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Jessup: A memorial from the representative meeting of Iowa yearly meeting of the religious society of Friends, numbering eight thousand, held at Oskaloosa, September 13, 1875, protesting against the re-enactment of the death penalty.

Ordered printed and passed on file.

By Senator Carr: A petition from citizens of Cedar county, asking for a Homeopathic Chair in the State University.

Referred to Committee on State University.

By Senator Harmon: A petition from the citizens of Buchanan county, asking the general assembly to ratify the action of the Fifteenth General Assembly submitting to the people at the next general election the proposition to strike the word "male" from our State Constitution.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 120, A bill for an act providing for the election of a County Attorney and prescribing his duties.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Cooley: S. F. No. 121, A bill for an act to repeal section 3777, chapter 1, title 23 of the Code, in relation to compensation of short hand reporters and to enact a new section in lieu thereof.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Cooley: S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise on County and Township Officers.

Read first and second time, ordered printed and referred to Committee on County and Township Organization.

Senator Gilmore was excused until Tuesday next.

RESOLUTION.

Senator Stoneman offered the following concurrent resolution which was adopted:

Resolved by the Senate, the House of Representatives concurring, That all the general laws published in the *State Register* and *Iowa State Leader*, or either of them, be also published in the *Iowa Staats Anzeiger* a German newspaper published in the city of Des Moines, and that the same compensation be paid to the said *Iowa Staats Anzeiger* as is paid to said papers; *provided*, that no extra compensation be allowed for the translation of said laws.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT: Your Committee on Highways, to whom was referred H. F. No. 47, A bill for an act to amend section 936 of the Code, in relation to the publication of road notices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code, with the report of the committee recommending its passage, was taken up, considered and ordered engrossed.

S. F. No. 56, A bill for an act to amend section 1, chapter 28 of the laws of the Fifteenth General Assembly, with the recommendation of the committee that it do pass, was taken up and passed on file.

S. F. No. 27, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and to enact a substitute therefor, was, with the report of the committee recommending its passage, taken up, considered and ordered engrossed.

On concurring in the House Resolution, relative to printing in the German language, the biennial message of Governor Carpenter and the Inaugural address of Governor Kirkwood, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Carr, Clark, Cooley, Dows, Dwelle, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Larrabee, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumble, Thornburg, Williams, Woolson, and Young—25.

The nays were:

Senators Campbell, Dashiell, Graham, Hebard, Kinne, Lovell, Shane, Stoneman, and Willett—9.

Absent or not voting:

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the resolution was concurred in.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked.

Joint resolution instructing our Senators in Congress, and requesting our Representatives to use their influence to secure the settlers of the Des Moines River Land Grant the ownership and titles to their lands.

BENJ. VAN STEINBURG,
Assistant Clerk.

S. F. No. 59, A bill for an act to provide for bonded indebtedness, with the report of the committee, recommending amendments, and when so amended it do pass, was taken up and considered.

The committee amendments were adopted.

Senator Campbell moved to amend by inserting after section 1876 the words "provided that the foregoing provisions of this act shall not be applicable to any county that has funded its indebtedness within two years previous to the passage of this act."

The motion was lost.

The bill was then ordered engrossed.

S. F. No. 55, A bill for an act to amend chapter 7, of article 14 of the Code, in relation to assignments for the benefit of creditors, with the report of the committee recommending that it do pass, was taken up, considered and ordered engrossed.

S. F. No. 81, A bill for an act to amend section 746, chapter 7, title 3 of the Code of 1873, with the recommendation of the committee that it be indefinitely postponed, was taken up and the report of the committee adopted.

S. F. No. 50, A bill for an act providing a proper seal for the office of Adjutant General of the State of Iowa, and that he be authorized to administer oaths, was taken up and considered with the report of the committee recommending amendments, and when so amended it do pass.

The amendments proposed by the committee were adopted.

On motion of Senator Shane the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow Campbell, Carr, Clark, Cooley, Dashiell, Dows, Dwelle, Graham, Harmon, Hartshorn Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumble, Shane, Stone-man, Thornburg, Willett, Williams, Wood, Woolson, and Young—34.

The yeas were, none.

Absent or not voting:

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the bill passed and the title was agreed to.

S. F. No. 46, A bill for an act to amend section 2951 of chapter 1, of title 18, of the Code of 1873, of attachments, executions and supplementary proceedings, was taken up, with the report of the committee recommending its indefinite postponement, and the report of the committee adopted.

S. F. No. 9, A bill for an act to amend section 875, chapter 2, title 6, of the Code, with the report of the committee that it do pass, was taken up, and considered.

Senator Woolson moved to strike out 875, and insert 871.

The motion prevailed.

The bill was passed on file.

S. F. No. 28, A bill for an act amendatory to section 866 of chapter 2, title 6 of the Code, was taken up with the recommendation of the committee that it do not pass.

On motion of Senator Willett, the bill was indefinitely postponed.

S. F. No. 23, A bill for an act to amend section 560 of chapter 12 of the Code, in relation to plats, was, with the report of the committee recommending its passage, taken up and considered.

Senator Williams moved to suspend the eleventh rule, and read the bill a third time.

The motion prevailed.

On the question shall the bill pass, the yeas were.

Senators Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell,

Dows, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—34.

The nays were none.

Absent or not voting:

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the bill passed and the title was agreed to.

On motion of Senator Hartshorn House messages were taken up.

Joint resolution relative to settlers on the Des Moines River Land Grant was taken up.

Read first and second time.

On motion of Senator Hartshorn the eleventh rule was suspended and the joint resolution read a third time.

On the question shall the joint resolution pass, the yeas were:

Senators, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dows, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—34.

The nays were none.

Absent or not voting :

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the joint resolution passed and the title was agreed to.

S. F. No. 57, A bill for an act to destroy noxious weeds on highways, with the report of the committee recommending a substitute, was taken up and passed on file.

S. F. No. 85, A bill for an act to amend section 1, of chapter 2, title 7 of the Code, with the recommendation of the committee that it do pass, was taken up and considered.

On motion of Senator Bestow the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Cooley, Dashiell, Dows, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Merrell of Clinton, Miller of Appanoose, Mitchell, Newton, Nichols, Thornburg, Willett, Williams, Wood, Woolson, and Young—23.

The nays were:

Senators Campbell, Clark, Dwelle, Graham, Kinne, Larrabee, Lovell, Murphy, Rumble, Shane, and Stoneman—11.

Absent or not voting:

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the bill having failed to receive a constitutional majority was lost.

S. F. No. 37, A bill for an act to amend section 3798 of the Code, in

relation to the compensation of Public Officers, with S. F. No. 102, A bill for an act to amend section 3798 of the Code of Iowa, in relation to the compensation of County Auditors, was taken up with the report of the committee recommending that they do not pass.

On motion of Senator Willett, S. F. No. 37, was indefinitely postponed.

On motion of Senator Jessup, S. F. No. 102, was indefinitely postponed.

Senator Campbell moved to reconsider the vote by which S. F. No. 85, A bill for an act to amend section 1, chapter 2, title 7 of the Code, was lost.

The motion prevailed.

Senator Cooley moved that further consideration of the bill be postponed until Wednesday next at 11 o'clock.

The motion was agreed to.

S. F. No. 25, A bill for an act to amend section 3084, chapter 2, title 18 of the Code, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question "shall the bill pass," the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dows, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumples, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—34.

The nays were none.

Absent or not voting:

Senators Arnold, Conaway, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—16.

So the bill passed and the title was agreed to.

S. F. No. 39, A bill for an act to regulate the exemption of the property of religious societies from taxation, and amendatory of section 797, chapter 1, title 14 of the Code, in relation to revenue, was taken up, and on motion of Senator Campbell, made the special order for Thursday next at 2 1-2 o'clock.

H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873, concerning deputies, with the report of the committee recommending its passage, was taken up and considered.

On motion of Senator Willett, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Rumples, Shane, Stoneman, Thornburg, Willett, Williams, Woolson, and Young—33.

The nays were none.

Absent or not voting:

Senators Arnold, Conaway, Dows, Gallup, Gilmore, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—17.

So the bill passed and the title was agreed to.

S. F. No. 92, A bill for an act to repeal section 2340 of the Code, and to enact a substitute therefor, with the report of the committee recommending its indefinite postponement, was taken up, and the report of the committee adopted.

S. F. No. 36, A bill for an act relating to coupling of railroad cars, was ordered printed and made a special order one week from Tuesday next.

Joint Resolution relative to time of election of United States Senator, with the report of the committee recommending amendments, was taken up, considered and passed on file.

At 4 o'clock and sixteen minutes, the Senate, on motion of Senator Kinne, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 1, 1876. }

Senate met pursuant to adjournment, and was called to order by the president.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer a portion of its property.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator McCormack: A petition from the citizens of Marysville, Marion county, asking that the incorporation of Marysville be not legalized.

Referred to Committee on Judiciary.

By Senator Jessup: A petition from four hundred citizens of Iowa, asking that the death penalty be not re-enacted.

Passed on file.

By Senator Hartshorn: A petition from the Bar of Ida county, asking for the division of the Fourth Judicial District, and the formation of the Fourteenth Judicial District.

Referred to Committee on Judicial Districts.

By Senator Dows: A petition from the citizens of Linn county, asking that the Iowa militia be represented at the Centennial Exposition at Philadelphia, 1876.

Referred to Committee on Centennial.

By Senator Stoneman: A petition from citizens of Clayton county, asking that justices of the peace be given jurisdiction of foreclosure of mechanic's liens.

Referred to Committee on Judiciary.

By Senator Cooley: A petition from citizens of Dubuque county, praying for an amendment to the State Constitution, prohibiting the use of public funds to the use of parochial school and religious purposes.

Referred to Committee on Constitutional Amendments.

Senator Wright was granted leave of absence until Thursday.

Senator Murphy was excused on account of sickness.

INTRODUCTION OF BILLS.

By Senator Stoneman: S. F. No. 123, A bill for an act to amend section 1550, of chapter 6, of title 11 of the Code, in relation to the sale of intoxicating liquors.

Read first and second time, ordered printed, and referred to Committee on Suppression of Intemperance.

By Senator Dows: S. F. No. 124, A bill for an act to provide for the enforcement of warrants and orders of corporations in certain cases.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Woolson: S. F. No. 125, A bill for an act to amend section 1539 of chapter 6 of title 11 of Code of 1873, relating to sale of intoxicating liquors to minors and others.

Read first and second time, ordered printed, and referred to Committee on Judiciary.

By Senator Arnold: S. F. No. 126, A bill for an act to amend section 3051 of chapter 2 of title 18 of the Code, relating to garnishments on executions.

Read first and second time, and referred to Committee on Judiciary.

By Senator Bailey: S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases for an amount less than the taxes, interest and costs due thereon.

Read first and second time, ordered printed, and referred to Committee on Ways and Means.

By Senator Kinne: S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

Read first and second time.

On motion of Senator Kinne, the eleventh rule was suspended and the bill read a third time.

SPECIAL ORDER.

The President announced that the hour for the special order had arrived, being the consideration of S. F. No. 6, a bill for an act to amend section 3793 of the Code of Iowa, in relation to compensation of county treasurers, with the report of committee recommending amendments.

Senator Shane moved that the special order be postponed ten minutes.

The motion prevailed.

The question recurring on the passage of S. F. No. 128, on the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Rumple, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Young—41.

The nays were none.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—9.

So the bill passed and the title was agreed to.

By unanimous consent, Senator Bailey withdrew from the files, S. F. No. 9, A bill for an act to amend section 875, chapter 2, title 6 of the Code.

By Senator Wilson: S. F. No. 129, A bill for an act to amend section 2142, chapter 8, title 14 of the Code of Iowa, relating to enforcing mechanics' liens.

Read first and second time, and referred to Committee on Judiciary.

HOUSE MESSAGES.

H. F. No. 157, A bill for an act to enable the "First Universalist Parish of Iowa City" to transfer a portion of its property.

Read first and second time.

Senator Clark, moved to suspend the eleventh rule, and read the bill a third time.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Mitchell, Newton, Nichols, Rumple, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Young—40.

The nays were none.

Absent or not voting:

Senators Carr, Merrill of Wapello, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—10.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour for the special order having arrived, the Senate took up and considered S. F. No. 6.

The question being on the first amendment reported by the committee, Senator Merrell of Clinton, moved to amend the amendment, by inserting after "one hundred thousand dollars," the following: "and in counties having township collectors one quarter of one per cent on all sums recovered from said township collectors."

The motion prevailed and the amendment as amended was adopted.

The other amendments recommended by the committee were adopted.

On motion of Senator Shane, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Cooley, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—32.

The nays were:

Senators Campbell, Conaway, Dashiell, Gilmore, Graham, Larrabee, McCormack, Maginnis, and Wilson—9.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—9.

So the bill passed and the title was agreed to.

COMMITTEE REPORT.

Senator Young, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills respectfully report that they have examined S. F. No. 59, A bill for an act to provide for bonding county indebtedness, and find the same correctly engrossed.

LAFE YOUNG, *Chairman.*

BILLS ON THIRD READING.

S. F. No. 59, A bill for an act to provide for bonding indebtedness.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Conaway, Cooley, Dashiell, Dows, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Young—36.

The nays were:

Senators Campbell, Dwelle, McCormack, Merrell of Clinton, and Shane—5.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—9.

So the bill passed and the title was agreed to.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Rumble, Willett, Williams, Wilson, Woolson, and Young—36.

The nays were:

Senators Cooley, Shane, Stoneman, Thornburg, and Wood—5.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—9.

So the bill passed and the title was agreed to.

S. F. No. 27, A bill for an act to repeal chapter 32 of public laws of the Fifteenth General Assembly, and to enact a substitute therefor.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Bestow, Clark, Conaway, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, McCoid, McCormack, Merrell of Clinton, Miller of Appanoose, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, and Wilson—23.

The nays were:

Senators Bailey, Campbell, Cooley, Dashiell, Dows, Gilmore, Graham, Jessup, Larrabee, Lovell, Maginnis, Merrill of Wapello, Mitchell, Newton, Wood, Woolson, and Young—17.

Absent or not voting:

Senators Carr, Kinne, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—10.

So the bill having failed to receive a constitutional majority was lost.

Senator Woolson moved to reconsider the vote by which S. F. No. 27 was lost.

Senator Campbell moved to lay that motion on the table, which was disagreed to.

The question being on the motion to reconsider, it prevailed.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Clark, Conaway, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, McCormack, Merrell of Clinton, Miller of Appanoose, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Woolson, and Young—23.

The nays were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Jessup, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Mitchell, Newton, Wood, and Wright—18.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—9.

So the bill having failed to receive a constitutional majority was lost.

Senator Cooley moved to adjourn.

The motion prevailed, and the Senate at 12:10 P. M., adjourned until two o'clock this afternoon.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment, and was called to order by the President.

BILLS ON THIRD READING.

S. F. No. 55, A bill for an act to amend chapter 7 of article 14 of the Code, in relation to assignments for benefit of creditors.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Conaway, Dashiell, Dows, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Rumple, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—34.

The nays were none.

Absent or not voting:

Senators Bailey, Carr, Clark, Cooley, Dwelle, Hartshorn, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rothert, Teale, Wilson, Wonn, and Wright—18.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 113, A bill for an act to amend chapter 1, title 23 of the Code of Iowa, relating to compensation of public officers, was taken up and made a special order for Wednesday, Feb. 9, at 10½ o'clock.

H. F. No. 47, A bill for an act to amend section 936 of the Code, in relation to the publication of road notices, with the report of the committee recommending its passage, was taken up and considered.

Senator Nichols moved that the bill be indefinitely postponed.

The motion prevailed.

Senator Carr was excused on account of sickness.

S. F. No. 57, A bill for an act to destroy noxious weeds on highways, with the report of the committee recommending a substitute, was taken up and considered.

The substitute reported by the committee was adopted.

Senator Williams moved to suspend the eleventh rule and read the bill the third time.

The motion was agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Lovell, McCoid, McCormack, Miller of Appanoose, Mitchel, Nichols, Rumble, Stoneman, Willett, Williams, Wood, and Woolson—28.

The nays were:

Senators Hebard, Jessup, Kinne, Larrabee, Maginnis, Merrell of Clinton, Newton, Shane, Thornburg, Wilson, and Young—11.

Absent or not voting:

Senators Carr, Clark, Merrill of Wapello, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—11.

So the bill passed and the title was agreed to.

Joint resolution relating to the acts of Congress fixing the time for the election of United States Senators, with the report of the committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

The joint resolution was lost on engrossment.

SPECIAL ORDER.

The hour for the special order having arrived, which was the consideration of substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same, the bill was taken up, and considered.

The question being on the motion of Senator Dashiell to amend section 4, by striking out all after the word "person" in the third line down to the word "who" in the fourth line.

Senator Rumble called for a division of the question, first, on striking out the words "known to him;" second, on striking out the words "or whom he has good reason to believe."

Senator McCormack moved the previous question, which was seconded.

On the first division of the question, the yeas and nays were demanded, and, the yeas were:

Senators Bailey, Dashiell, Dows, Hitchcock, Larrabee, Lovell, Merrill of Wapello, Miller of Appanoose, Williams, and Wilson—10.

The nays were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Mitchell, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Wood, Woolson, and Young—30.

Absent or not voting:

Senators Carr, Hebard, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—10.

So the motion to strike out was lost.

On the second division of the question, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Clark, Dashiell, Dows, Harmon, Hartshorn, Hitchcock, Kinne, Larrabee, Lovell, Merrill of Wapello, Miller of Appanoose, and Wilson—13.

The nays were:

Senators Arnold, Bestow, Campbell, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Hersey, Jessup, McCoid, McCormack, Maginnis, Merrell of Clinton, Mitchell, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wood, Woolson, and Young—27.

Absent or not voting:

Senators Carr, Hebard, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn, and Wright—10.

So the motion to strike out was not agreed to.

The question being on engrossment, the bill was ordered engrossed.

Senator Campbell moved to reconsider the vote by which the bill was ordered engrossed.

The motion was agreed to.

On motion of Senator Rumble the eleventh rule was suspended, and the bill was read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Newton, Nichols, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Young—87.

The nays were:

Senators Dashiell, Larrabee, Maginnis, and Miller of Appanoose—4.

Absent or not voting:

Senators Carr, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Teale, Wonn and Wright—9.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 56, A bill for an act to amend section 1, chapter 28 of the laws of the Fifteenth General Assembly, with the report of the committee recommending its passage was taken up, and on motion of Senator Larrabee, was recommitted to the Committee on Ways and Means.

On motion of Senator Young, at 3 o'clock and twenty-two minutes, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 2, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. W. J. Gill.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Bailey. A petition from citizens of Bremer and Chickasaw counties, asking that the so-called McGregor Western Railroad Land Grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Cooley: A petition from citizens of Dubuque county asking for a Homeopathic chair in the Iowa State University.

Referred to Committee on State University.

By Senator Arnold: A memorial and resolutions from the Eastern Iowa District Medical Society, in favor of Prof. Hinrichs' system of meteorological observations.

Referred to a special committee of three, to be appointed by the President.

By Senator Hartshorn: Petitions from the Bar of Sac county and the Palo Alto County Bar, asking for the division of the fourth judicial district, and the creation of the fourteenth judicial district.

Referred to Committee on Judicial Districts.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 130, A bill for an act to amend section 1540 of the Code.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

By Senator Rumble: S. F. No. 131, A bill for an act to repeal section 4315, chapter 16, title 25, of the Code of 1873, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Judiciary.

By Senator Clark: S. F. No. 132, A bill for an act to amend section 4018 of the Code.

Read first and second time and referred to committee on State University.

By Senator McCormack: S. F. No. 133, a bill for an act to amend section 3808 of the Code.

Read first and second time, and referred to Committee on County and Township Organization.

By Senator Clark: S. F. No. 134, A bill for an act to amend section 2529 of the Code, in relation to limitation of actions.

Read first and second time, and referred to Committee on Judiciary.

By Senator Nichols: S. F. No. 135, A bill for an act repealing section 3567, title 21, chapter 1 of the Code of 1873, relating to filing transcripts in the clerk's office and to provide a substitute therefor.

Read first and second time, and referred to Committee on Judiciary.

By Senator Jessup: S. F. No. 136, A bill for an act to amend section 1555 of the Code.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

RESOLUTIONS.

Senator Hartshorn presented a joint resolution proposing to amend section 13 of article 5 of the Constitution of the State of Iowa.

Read first and second time, ordered printed and referred to Committee on Constitutional Amendments.

Senator Hartshorn offered the following resolution, which was not agreed to:

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a township and railroad map of Iowa, such as shall be suitable for reference in the consideration of the land grant question soon to come before the Senate.

Senator Nichols presented the following concurrent resolution which was ordered printed and referred to Committee on Banks.

Resolved by the Senate, the House concurring, That we are in favor of the immediate repeal of the act of Congress of January 14, 1875, commonly known as the Specie Resumption Act, and we are unqualifiedly opposed to any legislation looking to the further contraction of the currency.

The President announced as the Special Committee to whom was referred the memorial and resolutions of Eastern Iowa District Medical Society, relating to meteorological reports of Professor Hinrichs, Senators Arnold, Merrell of Clinton, and Larrabee.

SPECIAL ORDER.

The President announced the hour for the special order, which was the consideration of S. F. No. 51, A bill for an act to amend section 3774 of the Code, with the report of the committee recommending amendments, and when so amended it do pass.

On motion of Senator Clark, the special order was postponed until 11 o'clock.

Senator Rothert was granted leave of absence.

GENERAL ORDER.

S. F. No. 85, A bill for an act to amend section 1 of chapter 2, title 7 of the Code of Iowa of 1873, of working highways.

Senator Bestow moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Cooley, Harmon, Hebard, Hersey, Hitchcock, Jessup, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Teale, Willett, Williams, Wood, Woolson, and Young—20.

The nays were:

Senators Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Newton, Nichols, Pease, Rumple, Shane, Stoneman, Thornburg, Wilson, and Wright—25.

Absent or not voting:

Senators Miller of Black Hawk, Murphy, Perkins, Rothert, and Wonn—5.

So the bill having failed to receive a constitutional majority was lost.

HOUSE MESSAGES.

H. F. No. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of Boards of Supervisors and to enlarge such powers.

Read first and second time, and referred to Committee on County and Township Organization.

COMMITTEE REPORT.

Senator Willett, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion County Iowa, and the acts of the officers acting thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. R. WILLETT, *Chairman.*

On motion of Senator McCormack, the bill and report was considered now.

Senator McCormack moved to suspend the eleventh rule and read the bill a third time.

The motion prevailed.

On the question shall the bill pass, the yeas were :

Senators, Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Pease, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting :

Senators Miller of Black Hawk, Murphy, Perkins, Rothert, and Wonn—5.

So the bill passed and the title was agreed to.

COMMITTEE REPORTS.

Senator Willett, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 114, A bill for an act to protect the people of Iowa against empiricism, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to a special committee consisting of Senators Conaway and Jessup.

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 87, A bill for an act to establish a State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Special Committee on Board of Charities.

Ordered passed on File.

Also, the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 89, A bill for an act to amend sections 4254, and 4691, of the Code, relating to taxation of costs in criminal actions and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 94, A bill for an act to repeal section 831 of the Code, relating to the correction of erroneous or unjust assessments and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 91, A bill for an act to amend section 3797 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Cooley, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 61, A bill for an act to prohibit county treasurers from becoming sureties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. N. COOLEY, *for the Chairman.*

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred S. F. No. 90, A bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass. And also recommend that the title be amended by adding the words as follows: "In relation to Highways and Bridges."

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

Senator Merrill of Wapello, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT:—Your Committee on Commerce, to whom was referred S. F. No. 53, A bill for an act providing for the assessment and taxation of property sold for non-resident merchants by order, sample, or other commercial traveling system, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

J. H. MERRILL, *Chairman*.

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 19, A bill for an act to amend section 3789 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. G. HERSEY, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred S. F. No. 8, A bill for an act to amend section 4746 of the Code, an act providing for the appointment of a Warden of the Penitentiary by the Governor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

The Committee on Claims, to whom was referred the claim of Wm. S. Wilson, proprietor of the Morehead Clay Works, of Philadelphia, after careful consideration of the same, have instructed me to report the same back with the recommendation that said claim of \$1,199 12-100 be not allowed.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Senator Jessup, from the Special Committee on Board of State Charities, submitted the following report:

MR. PRESIDENT:—Your Special Committee to whom was referred S. F. Nos. 7 and 80, bills for acts to provide for a Board of State Charities and to define the duties of the same, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute therefor, which is submitted with this report, be adopted, and that the said substitute do pass. They also recommend the printing of said substitute.

ELIAS JESSUP, *Chairman.*

Ordered passed on file, and substitute ordered printed.

SPECIAL ORDER.

The hour for the special order having arrived, the Senate proceeded to discuss S. F. No. 51.

The amendment reported by the Committee was adopted.

On motion of Senator Larrabee, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Campbell, Carr, Clark, Cooley, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Nichols, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Woolson, Wright and Young—34.

The nays were :

Senators Bestow, Conaway, Dashiell, Gilmore, Graham, Lovell, McCormack, Newton, Pease, Wilson, and Wood—11.

Absent or not voting :

Senators Miller of Black Hawk, Murphy, Perkins, Rothert, and Wonn—5.

So the bill passed and the title was agreed to.

On motion of Senator Shane, S. F. No. 19, A bill for an act to amend Section 3789 of the Code, was taken up and considered.

Senator Shane moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Pease, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting :

Senators Miller of Black Hawk, Murphy, Perkins, Rothert, and Wonn—5.

So the bill passed and the title was agreed to.

Senator Mitchell was excused until Friday.

A 11:25 A. M., the Senate, on motion of Senator Nichols, adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, February 3, 1876. }

Senate met pursuant to adjournment, and was called to order by the president.

Prayer by Rev. M. Fording.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill and joint resolution which have passed both branches of the general assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 93, A bill for an act to amend section 767 of the Code of 1873.

And a joint resolution relating to the titles to lands in the Des Moines valley.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Rothert: A petition from citizens of Lee county relating to amending the State Constitution so as to set the so-called religious question in the public schools forever at rest.

Referred to Committee on Constitutional Amendments.

By Senator Murphy: A petition from seven hundred citizens of Scott county, asking that church property be taxed.

Referred to Committee on Ways and Means.

By Senator Woolson: A petition from citizens of Henry county, asking that railroad trains be prohibited from running on the Sabbath.

Referred to Committee on Railroads.

By Senator Hebard: A petition from citizens of Waveland township of Pottawattamie county, asking that their township be added to Montgomery county.

Referred to Committee on County and Township Organization.

By Senator Stoneman: A petition from the citizens' association of McGregor, asking for the extension of the time to the McGregor and Missouri River Railroad Company, and protesting against the resumption of the land grant by the state.

Referred to Committee on Railroads.

By Senator Bailey: A petition from the citizens of Bremer county, asking that the so-called McGregor Western Railroad land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator McCormack : S. F. No. 137, A bill for an act to amend section 1497 of the Code.

Read first and second time, and referred to Committee on Highways.

By Senator Rotherth : S. F. No. 138, A bill for an act requiring counties to refund taxes voted and collected in aid of the construction of railroads, and to cancel certain unpaid taxes, and to extend certain taxes.

Read first and second time, ordered printed and referred to Committee on Railroads.

By Senator Rotherth : S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for the increased salaries of certain officers of said Penitentiary.

Read first and second time, ordered printed and referred to committee on State Penitentiary.

Senator Rotherth moved that the member of the Senate appointed to visit the different State Institutions, be added to the different standing committees on such institutions, for the purpose of considering the appropriation bills for such institutions.

The motion did not prevail.

By Senator Woolson: S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for Insane at Mt. Pleasant.

Read first and second time, ordered printed and referred to Committee on Hospital for Insane at Mt. Pleasant.

By Committee on Ways and Means: S. F. No. 141, A bill for an act to provide for keeping a record of State and District officers, with the date of their qualification.

Read first and second time, ordered printed and passed on file.

REPORTS OF COMMITTEES.

Senator Hebard, from the committee appointed to visit the State Agricultural College, submitted a report of the visit made by the committee to that Institution.

Report was ordered printed.

On motion of Senator Merrell of Clinton, S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly of the State of Iowa, was re-committed to the Committee on Judiciary.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have submitted to the Governor for approval, joint resolution relative to title of lands known as lands of Des Moines River Grant.

H. F. No. 93, An act to amend section 767 of the Code of 1873, concerning deputies.

Also, the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully

report that they have examined H. F. No. 157, An act to enable the First Universalist Parish of Iowa City to transfer property.

H. F. No. 93, An act to amend section 767 of the Code of 1873, concerning deputies.

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 129, A bill for an act to amend section 2142, chapter 8, title 14, of the Code, relating to enforcing mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 126, A bill for an act to amend section 3051 of chapter 2, title 18 of the Code, relating to garnishment on execution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred petition for conferring upon justices of the peace jurisdiction to enforce mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that no such legislation is desirable.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 100, A bill for an act to amend section 4228, chapter 12, title 25 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report to the Senate the accompanying substitute be adopted, and when so adopted do pass.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 49, A bill for an act in relation to revenue, and taxing the property of express companies and telegraph companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that with the following amendment it do pass.

In the ninth line of section 2, strike out the figures "60" and insert the figures "75." In the same line, after the word, "Business," insert the following: "Including charges advanced to other companies."

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. Nos. 56 and 83, Bills for acts to amend chapter 28, Laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

On motion of Senator Campbell, S. F. No. 49, A bill for an act in relation to revenue, and taxing the property of express companies, and telegraph companies, with the report of the committee recommending amendments, and when so amended it do pass, was made a special order for Wednesday, February 9, at 11 o'clock A. M.

Senator Conaway, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred S. F. No. 77, A bill for an act to amend section 303 of the Code in relation to the powers of boards of supervisors and to enlarge such powers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred S. F. No. 79, A bill for an act to amend section 295 of chapter 2, title 4 of the Code, in relation to the residence of supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred H. F. No. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors and to enlarge such powers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

In the seventh line in section 1, erase "twenty" and insert "thirty," and in twentieth line of the same section, add the word "any," as thus amended, the bill do pass.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Harmon, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Reform Schools, to whom was referred S. F. No. 63, A bill for an act to amend chapter five (5) of the Code of 1873, and add thereto, beg leave to report that they have had the same under consideration and have instructed me to re-

port the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Reform Schools, to whom was referred S. F. No. 66, A bill for an act to amend chapter forty-three of laws of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. W. HARMON, *Chairman*.

Ordered passed on file.

Senator Gallup, from the Committee on Agricultural College, submitted the following report :

MR. PRESIDENT:—Your Committee on Agricultural College, to whom was referred S. F. No. 98, A bill for an act granting authority to the Board of Trustee of the Iowa Agricultural College to establish an agency for leasing, re-leasing, and sale of college endowment lands, beg leave to report that they have had the same under consideration and have instructed me report the same back to the Senate with the recommendation that it do pass.

W. H. GALLUP, *Chairman*.

Ordered passed on file.

On motion of Senator Cooley, S. F. No. 79, A bill for an act to amend section 295, of chapter 2, title 4, of the Code, in relation to the residence of supervisors, with the report of the committee recommending that it do not pass, was taken up and considered.

Senator Miller of Black Hawk, moved to re-commit the bill to the Committee on County and Township Organization.

The motion was lost.

Senator Woolson moved to strike out the word "act," in fifth line and insert "section."

The motion prevailed.

Senator Merrell of Clinton, moved to recommit the bill and make it a special order.

The motion did not prevail.

The question being on engrossment, the bill was ordered engrossed.

Senator Woolson moved to reconsider the vote by which the bill was ordered engrossed.

The motion was agreed to.

Senator Merrill of Wapello moved to strike out "one-half" in third line and insert "one-third."

On this question the yeas and nays were demanded, and the yeas were:

Senators Clark, Gallup, Hartshorn, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Rothert, Shane, Woolson, and Wright—14.

The nays were:

Senators Arnold, Bailley, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hebard, Hersey, Hitchcock, Jessup, Kinne, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Newton, Nichols, Pease, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, and Young—30.

Absent or not voting :

Senators Dows, Harmon, Mitchell, Rumble, Teale, and Wonn.—6.

So the motion to strike out did not prevail.

Senator Cooley moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Perkins, Rothert, Shane, Stoneman, Thornburg, Willett, Woolson, Wright, and Young—34.

The nays were:

Senators Bailey, Conaway, Dashiell, Hersey, Hitchcock, Miller of Black Hawk, Newton, Pease, Williams, Wilson, and Wood—11.

Absent or not voting:

Senators Dows, Mitchell, Rumble, Teale, and Wonn—5.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 115, A bill for an act for the punishment of players of three card monte, and other confidence games, and of persons selling on railroad trains prize packages and other prizes, or offering them for sale, was, on motion of Senator Perkins, laid on the table.

S. F. No. 89, A bill for an act to amend sections 4254 and 4691 of the Code, with a substitute reported by the committee recommending its adoption and passage, was taken up and considered.

Senator Woolson moved to amend section 1 of the substitute by adding the words "otherwise the costs shall be taxed against the State."

The amendment prevailed.

The substitute was then adopted.

On motion of Senator Willett the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Hebard, Mitchell, Rumble, and Wonn—4.

So the bill passed and the title was agreed to.

Senator Campbell moved that when the Senate adjourn, it adjourn until to morrow morning at 10 o'clock.

The motion prevailed.

Senators Hersey, Woolson, and Bailey were granted leave of absence until Tuesday next.

On motion of Senator McCoid, S. F. No. 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6, of the Code, in relation to revenue, with amendments recommended by the committee and when so amended it do pass, was made a special order for Tuesday, February 8, at 11 o'clock A. M.

S. F. No. 94, A bill for an act to repeal section 831 of the Code, relating to the correction of erroneous or unjust assessments, and to provide a substitute therefor, with the report of the committee recommending that it do pass, was taken up and considered.

Senator Willett moved to suspend the eleventh rule and read the bill a third time.

Senator Dashiell moved to adjourn, which was not agreed to.

The question recurring on the motion to suspend the eleventh rule, it was agreed to.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, H-rsey, Hitchcock, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, and Woolson—40.

The nays were:

Senators Campbell, Dashiell, Larrabee, Lovell, Miller of Appanoose, Wright, and Young—7.

Absent or not voting:

Senators Mitchell, Rumble, and Wonn—3.

So the bill passed and the title was agreed to.

Senator Rothert moved to adjourn.

The motion prevailed, and at 12:20 P. M. the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 4, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. M. D. Miles.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 157, A bill for an act to enable the First Universalist Parish of Iowa City to transfer a portion of its property.

Also, the House has concurred in Senate resolution for the publication of the laws in the *Iowa Staats Anzeiger*, a German newspaper.

And has concurred in Senate amendment to resolution requesting the Secretary of State to furnish slips of laws to county auditors.

BENJ. VAN STEINBURG,

Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Murphy: A petition from board of supervisors of Scott county, praying for the lessening of costs in criminal cases.

Referred to Committee on Judiciary.

By Senator Hartshorn: A remonstrance from J. F. Duncombe, and twenty members of the Webster county Bar, protesting against the deduction of Webster county from the Eleventh Judicial District.

Referred to Committee on Judicial Districts.

By Senator Cooley: A petition from citizens of Dubuque county in favor of changing the State Constitution forbidding aid to parochial schools.

Referred to Committee on Constitutional Amendments.

By Senator Shane: A petition from citizens of Benton county, asking that church property be taxed.

Referred to Committee on Ways and Means.

RESOLUTIONS.

Senator Murphy introduced a joint resolution in relation to proposed canal from Rock Island, Ill., to the Illinois river at Hennepin.

Read first and second time.

Senator Cooley moved to amend by striking out "Rock Island," and inserting "some point between the mouth of Rock river and Clinton, Iowa."

The motion prevailed.

Senator Murphy moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question "shall the bill pass," the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, and Young—43.

The nays were none.

Absent or not voting:

Senators Bailey, Hersey, Hitchcock, Rumble, Wood, Woolson, and Wright—7.

So the bill passed and the title was amended to read "joint resolution in relation to proposed canal from some place on the Mississippi river, between the mouth of Rock river and Clinton, Iowa, and the Illinois river at Hennepin."

Senator Merrell of Clinton, offered the following resolution:

Resolved, That, when the Senate adjourn, to-day, it be until Tuesday next at 10 o'clock A. M.

On the adoption of the resolution, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Clark, Conaway, Cooley, Gallup, Hartshorn, Hebard, Jessup, Kinne, McCormack, Maginnis, Merrell of Clinton, Mitchell, Murphy, Nichols, Perkins, Rothert, Shane, Williams, Wonn, and Young—21.

The nays were:

Senators Bestow, Campbell, Carr, Dashiell, Dwelle, Gilmore, Graham, Harmon, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Pease, Stoneman, Teale, Thornburg, Willett, Wilson, and Wright—22.

Absent or not voting:

Senators Bailey, Dows, Hersey, Hitchcock, Rumple, Wood, and Woolson—7.

So the resolution was lost.

On motion of Senator Rothert, S. F. No. 38, A bill for an act requiring counties to refund taxes voted and collected in aid of the construction of railroads; to cancel certain unpaid taxes, and to extend certain taxes, was withdrawn from Committee on Railroads, and referred to Committee on Ways and Means.

By Senator Stoneman: A petition from the militia of Clayton county, asking for an appropriation to represent the Militia of Iowa at the Centennial Exposition at Philadelphia.

Referred to Centennial Committee.

By Senator Miller of Appanoose: A memorial for the incorporation of the town of Centerville.

Referred to Committee on Municipal Corporations.

By Senator Hartshorn: A petition of the Calhoun county bar, asking a division of the Fourth Judicial District, and the creation of the Fourteenth District.

Referred to Committee on Judicial Districts.

Also by Senator Hartshorn: A petition from the members of the Emmet county bar, asking for a division of the Fourth Judicial District.

Referred to Committee on Judicial Districts.

By Senator Wilson: A petition from the citizens of Washington county, in relation to mechanics' liens.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Williams: S. F. No. 142, A bill for an act repealing chapter 8 of the Code of 1873, and providing for mechanics' liens.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Special Committee: Senator Arnold, chairman, S. F. No. 143, A bill for an act to establish a central station for meteorological observations, and the appointment of a director thereof.

Read first and second time, ordered printed and referred to Committee on Appropriations.

By Senator Wonn : S. F. No. 144, A bill for an act authorizing the State Treasurer to pay over to Davis and other counties the balance of Swamp Land Fund.

Read first and second time, and referred to Committee on Ways and Means.

By Senator Murphy : S. F. No. 145, A bill for an act to repeal parts of chapter six, of title eleven of the Code, pertaining to intoxicating liquors, and to regulate the manufacture and sale thereof.

Read first and second time, and referred to Committee on Suppression of Intemperance.

By Senator Jessup : S. F. No. 146, A bill for an act making further appropriation for the Iowa Reform School.

Read first and second time, ordered printed and referred to Committee on Reform Schools.

By Senator Williams : S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

Read first and second time, and referred to Committee on County and Township Organization.

By Senator Wonn : S. F. No. 148, A bill for an act providing a bounty for the destruction of hawks, crows and owls, and for the protection of game and domestic fowls.

Read first and second time, and referred to Committee on Fish and Game.

By Senator Hebard : S. F. No. 149, A bill for an act to amend section 900 of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

RESOLUTIONS.

Senator Perkins offered the following resolution, which was adopted:

Resolved, That the Committee on Railroads be instructed to inquire into the advisability of repealing chapter 68, laws of the Fifteenth General Assembly (The Railroad Tariff Act), and reporting a substitute therefor, said Committee to report by bill or otherwise.

By Senator Jessup : Joint resolution, proposing to amend the constitution of the State of Iowa.

Be it resolved by the General Assembly of the State of Iowa, That section 16, of article 4, of the constitution of the State of Iowa, be amended, by inserting in the third and fourth lines after the word treason, the words murder and rape.

Read first and second time, ordered printed and referred to Committee on Constitutional amendments.

REPORTS OF STANDING COMMITTEES.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have submitted to the Governor for his approval H. F. No. 157, An act to enable the First Universalist Parish of Iowa City to transfer a portion of its property.

H. C. CARR, *Chairman*.

Senator Shane, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments: Insert after the word annually in the second line of the 1st section, the following words and figures, "for the years 1876 and 1877," and that so amended the bill do pass.

SHANE, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

S. F. No. 91, A bill for an act to amend section 3797 of the Code of 1873 was taken up, with the recommendation of the committee that it be indefinitely postponed, and the report of the committee adopted.

S. F. No. 61, A bill for an act to prevent County Treasurers from becoming sureties was taken up and considered.

On motion of Senator Nichols, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Conaway, Cooley, Dashiell, Dwelle, Gilmore, Hebard, Jessup, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Shane, Teale, Williams, Wood, Wright and Young—19.

The nays were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Dows, Gallup, Graham, Harmon, Hartshorn, Kinne, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Pease, Perkins, Rothert, Stoneman, Thornburg, Willett, Wilson, and Wonn—26.

Absent or not voting:

Senators Bailey, Hersey, Hitchcock, Rumble, and Woolson—5.

So the bill having failed to receive a constitutional majority, was lost.

S. F. No. 90, A bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873, was taken up and considered.

On motion of Senator Wonn, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Jessup, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Thornburg, Willett, Williams, Wonn, Wood, and Young—31.

The nays were:

Senators Carr, Dashiell, Hartshorn, Kinne, Larrabee, Lovell, Merrell of Clinton, Murphy, Shane, Stoneman, Teale, Wilson, and Wright—13.

Absent or not voting:

Senators Bailey, Cooley, Hersey, Hitchcock, Rumble, and Woolson—6.

So the bill passed and the title was amended by adding to the same the following words: "In relation to Highways and Bridges."

S. F. No. 53, A bill for an act to provide for the assessment and taxation of property sold for non-resident merchants by order, sample, or other commercial traveling, was, on motion of Senator McCoid, indefinitely postponed.

S. F. No. 8, A bill for an act to amend section 4746 of the Code, was taken up and considered, and on the question shall the bill be engrossed the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Carr, Conaway, Dashiell, Dwelle, Graham, Harmon, Hartshorn, Jessup, McCoid, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Rothert, Thornburg, Willett, Williams, Wood, and Young—23.

The nays were:

Senators Arnold, Clark, Cooley, Dows, Gallup, Gilmore, Hebard, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Perkins, Shane, Stoneman, Teale, Wilson, Wonn, and Wright—22.

Absent or not voting:

Senators Bailey, Hersey, Hitchcock, Rumble, and Woolson—5.

So the bill was ordered engrossed.

Senator Merrill of Wapello offered the following resolution:

Resolved, That in the condition of business in this Branch of the General Assembly, an adjournment to Tuesday next may be had without detriment, and therefore the Senate when it adjourns to-day, adjourn to meet at 10½ A. M. on that day.

On the adoption of this resolution the yeas and nays were demanded, and the yeas were:

Senators Arnold, Campbell, Clark, Conaway, Dows, Gallup, Graham, Harmon, Hebard, Jessup, Kinne, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Nichols, Perkins, Rothert, Shane, Thornburg, Williams, Wonn, Wood, Wright and Young—27.

The nays were:

Senators Bestow, Carr, Cooley, Dashiell, Dwelle, Gilmore, Hartshorn, Larrabee, Lovell, McCormack, Miller of Appanoose, Miller of Black Hawk, Newton, Pease, Stoneman, Teale, Willett, and Wilson—18.

Absent or not voting:

Senators Bailey, Hersey, Hitchcock, Rumble, and Woolson—5.

So the resolution was adopted.

On motion of Senator Shane, S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, was taken up.

Senator Cooley moved to strike out all of section 1 after enacting clause, viz: "That the sum of two thousand dollars be appropriated, annually, for the benefit of the Iowa State Agricultural Society, said sum to be paid by the Auditor of State upon the order of the President of said society in such sums and at such times as may be for the best interests of said society."

Pending the discussion of which the Senate, on motion of Senator Shane, adjourned, 12:05.

SENATE CHAMBER,
DES MOINES, IOWA, February 8, 1876. }

Senate met pursuant to adjournment.

In the absence of Lieutenant-Governor Newbold, Secretary J. A. T. Hull called the Senate to order.

On motion of Senator Cooley, Senator McCoid was appointed temporary President of the Senate.

Prayer by Rev. Dr. Murphy.

The reading of the Journal of the last day's proceedings, was, on motion of Senator Campbell, dispensed with.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Nichols: A petition from the creditors of W. R. Craig, builder of the Institute for Deaf and Dumb, at Council Bluffs, asking for the payment of the claims of said W. R. Craig for building that Institution.

Referred to Committee on Claims.

By Senator Harmon: A petition from citizens of Buchanan county asking that the amendments to Constitution proposed by Fifteenth General Assembly, be submitted to the people.

Referred to Committee on Constitutional Amendments.

By Senator Campbell: A petition from citizens of Jasper county, praying for a change in the Mechanic's Lien law.

Passed on file.

By Senator Hartshorn: A preamble and resolutions from citizens of Palo Alto county in relation to the McGregor and Missouri River Railway Company's Land Grant.

Referred to Committee on Railroads.

Also: A petition from citizens of Palo Alto county, praying for an extension of time to the McGregor and Missouri River Railroad Company's land grant.

Referred to Committee on Railroads.

By Senator Mitchell: A memorial and protest from the city council of Des Moines, Iowa, protesting against the passage of the law, which deprives citizens of cities of the first class of a voice in the election of a city solicitor, city engineer, city marshal and superintendent of markets.

Referred to Committee on Municipal Incorporations.

By Senator Rumble: A petition from the citizens of Toledo, Tama county, remonstrating against the repeal of the present liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Maginnis: A petition from citizens of Maquoketa, Jackson county, asking for the ratification of the action of the Fifteenth General Assembly, relating to striking the word "male" from the State Constitution.

Referred to Committee on Constitutional Amendments.

By Senator Gallup: A like petition from citizens of Nevada, Storey county, which was also referred to Committee on Constitutional Amendments.

By Senator Cooley: A petition from H. S. Stout and one hundred and fifty-two others, citizens of Dubuque, protesting against subsidy to State Agricultural Society.

Referred to Committee on State Agriculture.

By Senator Hartshorn: A petition from citizens of Dickinson county, asking for amendments to the law in relation to protection and propagation of fish in this State.

Referred to Committee on Fish and Game.

By Senator Carr: A petition of citizens of Freemont township, Cedar county, asking that the township trustees have the authority to regulate the sale of intoxicating liquors.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Shane: S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Cooley: S. F. No. 151, A bill for an act to repeal section 4293, chapter 15, title 25 of the Code, in relation to witnesses before the grand jury, and to enact a substitute therefor.

Read first and second time, ordered printed and referred to Committee on Judiciary.

Also, S. F. No. 152, A bill for an act to repeal section 4562 of the Code, and to enact a substitute therefor, in relation to evidence in criminal cases.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Pease: S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School farm at Salem, Lee county.

Read first and second time, ordered printed and referred to Committee on Reform School.

By Senator Maginnis: S. F. No. 154, A bill for an act to regulate the sale and gift of spirituous, malt and vinous liquors on election day.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

By Senator Miller of Black Hawk: S. F. No. 155, A bill for an act to authorize township boards of trustees to construct town houses.

Read first and second time, ordered printed and referred to Committee on Schools.

SPECIAL ORDER.

The hour having arrived for the consideration of S. F. No. 39, A bill for an act to regulate the omission of the property of religious

societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6, of the Code, in relation to Revenue.

Senator Murphy moved that the bill be made a special order for Thursday next at 10:30 o'clock.

The motion prevailed.

On motion of Senator Willett S. F. No. 36, A bill for an act in relation to the coupling of railroad cars, was made a special order for three o'clock this afternoon.

INTRODUCTION OF BILLS RESUMED.

By Senator Rothert: S. F. No. 156, A bill for an act to amend section 1766, chapter 9, title 12 of the Code, by placing Natural Philosophy and Elementary Drawing on the list of studies in which persons applying for certificates to teach, shall be required to pass an examination.

Read first and second time, ordered printed and referred to Committee on Schools.

Also, S. F. No. 157, A bill for an act to amend sections 1727, 1745 and 1781, chapter 9, title 12 of the Code, by changing the legal age for admission to public schools from five to six years.

Read first and second time, ordered printed and referred to Committee on Schools.

By Senator McCormack: S. F. No. 158, A bill for an act to amend section 3822 of the Code.

Read first and second time, and referred to Committee on Judiciary.

By Senator Hartshorn: S. F. No. 159, A bill for an act creating the fourteenth judicial district, and providing for the election of district and circuit judges and district attorney therein, and for changing the boundaries of the fourth, eleventh, and thirteenth judicial districts.

Read first and second time, ordered printed and referred to Committee on Judicial Districts.

By Senator Shane: S. F. No. 160, A bill for an act to regulate the exemption of the property of religious societies from taxation, and amendatory to section 797, chapter 1, title 6, of the Code.

Read first and second time, ordered printed and passed on file.

By Senator Arnold: S. F. No. 161, A bill for an act to amend section 3809 of the Code.

Read first and second time, and referred to Committee on Judiciary.

By Senator Harmon: S. F. No. 162, A bill for an act to amend section 2094, chapter 3, title 14, of the Code of 1873, by adding thereto.

Read first and second time, ordered printed and referred to Committee on Banks.

By Senator Carr: S. F. No. 163, A bill for an act to amend section 2900 of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

Senator Wright was excused.

Senator Miller of Appanoose, was granted leave of absence until Thursday.

Senator Dows was excused for to-day and to-morrow on account of sickness.

Senator Harmon offered the following resolution which was agreed to:
Resolved, That the Committee on Banks and Banking Institutions

be, and they are hereby instructed to enquire what, if any, legislation is necessary to prevent private individuals, (doing a banking business in this State,) from holding themselves out to the public as incorporated institutions under the laws of this State, by adopting what is supposed to be corporate names, and having officers known as president, vice-president, cashier, &c. And also what legislation, if any, is necessary to enable the Auditor of State to have regular examinations made of the conditions of the savings banks, and banking institutions doing business under the incorporation laws of this State, and report by bill or otherwise.

Senator Hartshorn presented a joint resolution, in relation to the modification of the Homestead laws.

Read first and second time.

On motion of Senator Hartshorn the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were.

Senators Arnold, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dwelle, Graham, Harmon, Hartshorn, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumpel, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—42.

The nays were none.

Absent or not voting :

Senators Bailey, Dows, Hebard, Hersey, Hitchcock, Miller of Appanoose, Perkins, and Wright—8.

So the joint resolution passed and the title was agreed to.

REPORT OF STANLING COMMITTEES.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. Nos. 34, 53½, and 95, bills relating to the McGregor and Sioux City Land Grant, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate the following substitute, with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 135, A bill for an act to repeal section 3567, title 21, chapter 1 of the Code, relating to filing transcripts in the clerk's office, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 60, A bill for an act to amend section 320, chapter 3,

title 4, of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with following amendments: Strike out the word "he" in the fourth line and insert "the Auditor in office during the preceding year." Strike out the words "the preceding," in fifth line, and insert the word "such." After the word "year," in the sixth line, insert the words "up to and including the 31st day of December." And amend the title by adding at the end thereof the words: "so as to require County Auditors to make an annual report of county expenditures." And so amended they recommend it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 107, A bill for an act to establish a board of health, and the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Special Committee on State Charities.

Ordered passed on file and the bill so referred.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 134, A bill for an act to amend section 2529 of the Code, in relation to limitation of actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Incorporations, to whom was referred H. F. No. 7, A bill for an act to repeal section 390 of the Code, relating to township officers, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. MCCOID, *Chairman*.

Ordered passed on file.

On motion of Senator Rotherth, H. F. No. 7, a bill for an act to repeal section 390 of the Code, relating to township officers and to enact a substitute therefor, was taken up, with the report of the committee recommending its passage, and considered.

Senator Rotherth moved to suspend the eleventh rule and read the bill a third time.

The motion was agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rotherth, Rumple, Shane, Stoneman, Teale,

Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—41.

The nays were none.

Absent or not voting:

Senators Bailey, Dows, Hebard, Hersey, Hitchcock, Lovell, Miller of Appanoose, Perkins, and Wright—9.

So the bill passed and the title was agreed to.

On motion of Senator Cooley, H. F. No. 181, a bill for an act to amend section 303 of the Code in relation to the powers of the board of supervisors and to enlarge such powers, with the report of the committee recommending amendments, and when so amended that it do pass, was taken up and considered.

Pending the discussion of the bill, the Senate at 12 o'clock M., on motion of Senator Cooley, adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the temporary President, Senator McCoid.

The consideration of H. F. No. 181, was resumed.

The first amendment reported by the committee was not agreed to.

The second amendment reported by the committee was concurred in.

Senator Stoneman moved to amend the last clause of the bill by adding "provided that the provisions of this act shall not apply to any county where the loss shall have occurred after the 1st day of February, 1876, nor shall this act apply to the rebuilding of court houses and jails."

The amendment prevailed.

On motion of Senator Cooley, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—44.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Dows, Hartshorn, Hebard, Miller of Appanoose, and Wright—5.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Murphy offered the following resolution which was agreed to:

Resolved, That the Committee on Constitutional Amendments inquire into and report to the Senate at an early day, if there is any law providing for the publication of proposed amendments to the constitution as required by article 10, of section 1 of the Constitution of Iowa.

BILLS ON THIRD READING.

S. F. No. 8, A bill for an act to amend section 4746 of the Code.

On the question shall the bill pass, the yeas were :

Senators Bailey, Campbell, Carr, Clark, Conaway, Dashiell, Dwelle, Graham, Harmon, Hersey, Hitchcock, Jessup, Maginnis, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Thornburg, Willett, Williams, Wood, Woolson, and Young—25.

The nays were :

Senators Arnold, Cooley, Gallup, Gilmore, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Rumble, Shane, Stoneman, Teale, Wilson, and Wonn—19.

Absent or not voting :

Senators Bestow, Dows, Hartshorn, Hebard, Miller of Appanoose, and Wright—6.

So the bill having failed to receive a constitutional majority was lost.

Senator Cooley moved to reconsider the vote by which the bill was lost.

On motion of Senator Campbell, further consideration of the motion was postponed until to-morrow morning at 10½ o'clock.

By leave Senator Teale presented the report of the Committee appointed to visit the Soldiers' Orphans' Home at Glenwood.

The report was ordered printed and placed on file.

S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, with the report of the Committee recommending amendments and when so amended that it do pass, was taken up, considered, and passed on file.

Substitutes for S. F. Nos. 7, and 80, A bill for an act to provide for a Board of State Charities, and to define the duties of the same, was taken up and considered by sections.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT : I am directed to inform your honorable body that the House of Representatives has passed the following bills in which the concurrence of the Senate is asked :

H. F. No. 27, A bill for an act relating to the appointment of sundry city officials, and repealing sections 534, and 535, title 4, chapter 10, of the Code, and enacting substitutes therefor.

H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly, and for other puposes.

H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School Investigation.

Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—41.

The nays were none.

Absent or not voting:

Senators Bailey, Dows, Hebard, Hersey, Hitchcock, Lovell, Miller of Appanoose, Perkins, and Wright—9.

So the bill passed and the title was agreed to.

On motion of Senator Cooley, H. F. No. 181, a bill for an act to amend section 303 of the Code in relation to the powers of the board of supervisors and to enlarge such powers, with the report of the committee recommending amendments, and when so amended that it do pass, was taken up and considered.

Pending the discussion of the bill, the Senate at 12 o'clock M., on motion of Senator Cooley, adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

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Senate met pursuant to adjournment, and was called to order by the temporary President, Senator McCoid.

The consideration of H. F. No. 181, was resumed.

The first amendment reported by the committee was not agreed to.

The second amendment reported by the committee was concurred in.

Senator Stoneman moved to amend the last clause of the bill by adding "provided that the provisions of this act shall not apply to any county where the loss shall have occurred after the 1st day of February, 1876, nor shall this act apply to the rebuilding of court houses and jails."

The amendment prevailed.

On motion of Senator Cooley, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—44.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Dows, Hartshorn, Hebard, Miller of Appanoose, and Wright—5.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Murphy offered the following resolution which was agreed to:

Resolved, That the Committee on Constitutional Amendments inquire into and report to the Senate at an early day, if there is any law providing for the publication of proposed amendments to the constitution as required by article 10, of section 1 of the Constitution of Iowa.

BILLS ON THIRD READING.

S. F. No. 8, A bill for an act to amend section 4746 of the Code.

On the question shall the bill pass, the yeas were :

Senators Bailey, Campbell, Carr, Clark, Conaway, Dashiell, Dwelle, Graham, Harmon, Hersey, Hitchcock, Jessup, Maginnis, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Thornburg, Willett, Williams, Wood, Woolson, and Young—25.

The nays were :

Senators Arnold, Cooley, Gallup, Gilmore, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Rumble, Shane, Stoneman, Teale, Wilson, and Wonn—19.

Absent or not voting :

Senators Bestow, Dows, Hartshorn, Hebard, Miller of Appanoose, and Wright—6.

So the bill having failed to receive a constitutional majority was lost.

Senator Cooley moved to reconsider the vote by which the bill was lost.

On motion of Senator Campbell, further consideration of the motion was postponed until to-morrow morning at 10½ o'clock.

By leave Senator Teale presented the report of the Committee appointed to visit the Soldiers' Orphans' Home at Glenwood.

The report was ordered printed and placed on file.

S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, with the report of the Committee recommending amendments and when so amended that it do pass, was taken up, considered, and passed on file.

Substitutes for S. F. Nos. 7, and 80, A bill for an act to provide for a Board of State Charities, and to define the duties of the same, was taken up and considered by sections.

MESSAGE FROM THE HOUSE.

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MR. PRESIDENT : I am directed to inform your honorable body that the House of Representatives has passed the following bills in which the concurrence of the Senate is asked :

H. F. No. 27, A bill for an act relating to the appointment of sundry city officials, and repealing sections 534, and 535, title 4, chapter 10, of the Code, and enacting substitutes therefor.

H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly, and for other puposes.

H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School Investigation.

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa.

H. F. No. 58, A bill for an act to repeal section 989, chapter 2, of title 7 of the Code, and to enact a substitute therefor, in relation to the powers and duties of road supervisors.

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of same.

H. F. No. 109, A bill for an act to repeal section 1, chapter 25, acts of Fifteenth General Assembly, relating to town and city lots.

H. F. No. 304, A bill for an act to repeal section 3800, and enact a substitute therefor.

Also that the House has passed S. F. No. 33, A bill for an act to legalize the incorporation of the town of Fayette, without amendment.

JAS. W. LOGAN, *Chief Clerk.*

Senator Dashiell moved to amend by inserting in fifth line, in section one, the words "from the said first Monday of May."

The motion prevailed.

Senator Rothert offered a substitute for section one, which provided for the election of the officers of the board by the General Assembly.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Rothert, Shane, Stoneman, Teale, Wilson, and Wonn—13.

The nays were:

Senators Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, McCoid, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rumple, Thornburg, Willett, Williams, Wood, Woolson, and Young—30.

Absent or not voting:

Senators Clark, Cooley, Dows, Hebard, Larrabee, Miller of Appanoose, and Wright—7.

So the amendment was lost.

Senator Stoneman moved to amend section 5, by striking out all after the word "power" in the fourth line, down to and including the word "and" in the fifth line.

On the adoption of the amendment the yeas and nays were demanded.

The yeas were:

Senators Arnold, Bestow, Carr, Conaway, Dwelle, Gallup, Hartshorn, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Murphy, Nichols, Pease, Rothert, Shane, Stoneman, Teale, Thornburg, Wilson, Wonn, Woolson, and Young—28.

The nays were:

Senators Bailey, Campbell, Clark, Cooley, Dashiell, Gilmore, Graham, Harmon, Jessup, Miller of Black Hawk, Mitchell, Newton, Rumple, Willett, Williams, and Wood—16.

Absent or not voting:

Senators Dows, Hebard, Merrill of Wapello, Miller of Appanoose, Perkins, and Wright—6.

So the amendment was adopted.

The hour for the special order having arrived for the consideration of S. F. No. 36, a bill for an act relating to the coupling of railroad cars, the consideration of the bill, was on motion of Senator Willett postponed until the bill now under consideration was disposed of.

The Senate resumed the consideration of substitute for S. F. Nos. 7, and 80.

Senator Teale moved to amend by striking out all of section 5, down to and including the word "secretary" in the second line and insert "the secretary shall be elected at the general election in each even numbered year," also strike out of third line the words "during the pleasure of said board" and insert the words "until his successor is elected and qualified."

On the adoption of the amendment the yeas and nays were demanded and the yeas were:

Senators Bailey, Clark, Merrell of Clinton, Nichols, Pease, Rothert, Stoneman, Teale, and Wonn—9.

The nays were;

Senators Arnold, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Perkins, Rample, Shane, Thornburg, Willett, Williams, Wilson, Wood, and Woolson—36.

Absent or not voting:

Senators Dows, Hebard, Miller of Appanoose, Wright, and Young—5.

So the amendment was lost.

Senator Jessup moved to amend section 5, by inserting after the word "compensation," in fourth line, the words: "which shall not exceed two thousand dollars per annum."

The amendment was agreed to.

Senator Miller of Black Hawk moved to amend section 6, by striking out in fifth line, "shall in like manner," and insert the words: "said board shall by three or more of its members."

The amendment was lost.

Senator Stoneman moved to amend section 6, by striking out of first line the words, "or by," and in second line, "some other person by said board authorized so to do."

The amendment was adopted.

Senator Nichols moved to insert in section 6, after the word "same," in the twelfth line, the following: "The visits herein contemplated shall be made without notification to the officers, or any of them, of the institution to be visited"

The motion was agreed to.

Senator Hartshorn moved to strike out of section 6, all after the word "secretary," in thirteenth line, down to and including the word "provided," in fourteenth line. Also, to strike out all after the word "sec-

retary," in eighteenth line, down to and including the word "them," in nineteenth line.

The amendment prevailed.

Senator Carr moved to strike out of third line in section 7, the words "under their authority," and insert, "or their secretary."

The amendment was agreed to.

Senator Stoneman moved to strike out of first line in section 8, the words "or any of them, or any one authorized by them so to do," and insert "their secretary."

The motion was agreed to.

Senator Cooley moved to amend section 10, by inserting after the word "meeting," in seventh line, the words, "and approved by the Governor and Executive Council."

The amendment was agreed to.

Senator Dashiell moved to amend section 10, by striking out of sixth line the words "and others as hereinbefore provided."

The motion to strike out prevailed.

Senator Jessup moved to strike out of section 11, all after the word "secretary," in first line, down to and including the word "duties," in second line; and all after the word "secretary," in fifth line.

The motion was agreed to.

On motion of Senator Stoneman the following was added to section 11:

If any member of said Board of Charities, or said secretary, shall violate the provisions of this section, they shall be liable to a fine not exceeding \$1000, or to imprisonment not exceeding one year, or by both said fine and imprisonment, at the discretion of the court.

Senator Merrell of Clinton moved to adjourn.

The motion did not prevail.

Senator Nichols moved to strike out of first line in section 13, the figures 1437 and 1438, and add to the section the words: "and that the words visiting committee, wherever they occur in sections 1437, 1438 and 1441, be stricken out and the words Board of State Charities be inserted in lieu thereof."

Senator Stoneman moved to re-commit the bill as amended to a special committee, consisting of Senators Jessup, Woolson, Dashiell and Larrabee, to report on to-morrow morning.

The motion prevailed.

On motion of Senator Merrill of Wapello, at 4:30 P. M. the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 9, 1876. }

Senate met pursuant to adjournment, and was called to order by the Lieutenant Governor.

Prayer by the Rev. Granger W. Smith.

On motion of Senator Shane, the reading of the journal of yesterday was dispensed with.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Shane: A petition from citizens of Benton county, asking for the enactment of a law in regard to wire fences.

Referred to Committee on Agriculture.

Also: A petition from citizens of Benton county, asking for the taxation of church property.

Referred to Committee on Ways and Means.

By Senator Campbell: Petitions from citizens of Poweshiek and Greene county, asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Young: A petition from residents and voters of four eastern townships of the county of Pottawattamie, asking to be annexed to the county of Cass.

Referred to Committee on Ways and Means.

By Senator Murphy: A petition from citizens of Davenport, asking that a chair be given to the homeopathic profession in the State University.

Referred to Committee on State University.

By Senator Cooley: A like petition from citizens of Dubuque which was referred to the same committee.

By Senator Bestow: Petition from citizens of Lucas county, in opposition to the repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

By Senator Kinne: A petition from citizens of Allamakee county, asking that the Iowa Militia be represented at the centennial exposition at Philadelphia in 1876.

Referred to Committee on Centennial.

By Senator Teale: A petition from citizens of Decatur county, asking for a change in the mechanic's lien law.

Referred to Committee on Judiciary.

By Senator Dwelle: A petition from citizens of Kossuth county, asking that the time be extended to the McGregor and Missouri River Railway Company.

Referred to Committee on Railroads.

By Senator Hartshorn: A petition from the citizens of Palo Alto county, asking for the same extension, which was referred to same committee.

By Senator Stoneman: A petition from citizens of McGregor asking for the enactment of a law authorizing cities of the second class, having bonded indebtedness, to levy certain taxes.

Referred to Committee on Judiciary.

By Senator Hitchcock: A petition from citizens of Mitchell county; also one from the citizens of Nora Springs, asking for the extension of the time given to the McGregor and Missouri River Railway Company.

Referred to Committee on Railroads.

By Senator Hitchcock: A petition from citizens of Floyd county, asking for the ratification of the action of the Fifteenth General As-

sembly, submitting to the people at the next general election the proposition to strike the word "male," from our State Constitution.

Referred to Committee on Constitutional Amendments.

By Senator Rothert : A petition from citizens of Keokuk, asking that the present prohibitory liquor law be so amended to allow the purchase and sale of native wines manufactured from fruit grown within the United States, &c.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Larrabee : S. F. No. 164, A bill for an act to provide for the taxation of telegraph lines.

Read first and second time, and referred to Committee on Ways and Means.

By Senator McCoid : S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots and in relation to the annexation of contiguous territory to cities and towns.

Read first and second time, and referred to Committee on Judiciary.

By Senator Merrill of Wapello : S. F. No. 166 : A bill for an act to repeal chapter 28, of laws of Fifteenth General Assembly, and to amend section 796 of the Code.

Read first and second time, ordered printed and referred to Committee on Ways and Means.

By Senator Stoneman : S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

Read first and second time, and referred to Committee on Judiciary.

By Senator Shane : S. F. No. 168, A bill for an act relating to Evidence.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 170, A bill for an act to require clerks of the several District and Circuit courts to make annual reports to the Auditor of State.

Read first and second time, and referred to Committee on Ways and Means.

By Senator Cooley : S. F. No. 170, A bill for an act to provide for the collection of delinquent personal taxes, in certain cases.

Read first and second time, ordered printed and referred to Committee on Ways and Means.

By Senator Miller of Black Hawk : S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common school.

Read first and second time, and referred to Committee on Normal Schools.

SPECIAL ORDER.

The hour for the consideration of S. F. No. 113, A bill for an act to amend chapter 1, title 22 of the Code of Iowa, relating to compensation of officers, having arrived, the consideration of the bill, was, on motion of Senator Shane, postponed in order to take up substitute for S. F. Nos. 7 and 80.

COMMITTEE REPORT.

Senator Jessup from Committee on Substitute for S. F. Nos. 7 and 80, submitted the following report:

MR. PRESIDENT:—Your Special Committee on Substitute for S. F. Nos. 7 and 80, to whom said substitute and amendments thereto were referred bills for acts to provide for a Board of State Charities, and to define the duties of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 13 of said substitute be stricken out and the substitute for said section 13 herewith submitted be inserted, and that when so inserted said substitute for S. F. Nos. 7 and 80, with the amendments heretofore adopted by the Senate, do pass.

E. JESSUP, *Chairman.*

Ordered passed on file.

The substitute for S. F. Nos. 7 and 80, with the report of the committee recommending amendments and when so amended it do pass, was taken up and considered.

The amendments recommended by the committee were adopted.

The substitute was adopted.

Senator Jessup moved to suspend the eleventh rule and read the bill a third time.

The motion was agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumple, Stoneman, Thornburg, Williams, Wood, Woolson, and Young—30.

The nays were:

Senators Campbell, Gallup, Gilmore, Hebard, Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Rothert, Shane, Teale, Willett, Wilson, and Wonn—18.

Absent or not voting:

Senators Dows, and Wright—2.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to fees of township trustees.

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a notary public, in and for Adair county, Iowa.

J. J. FLYNN,

Assistant Clerk.

On motion of Senator Willett, S. F. No. 36, A bill for an act relating to the coupling of cars, was taken up and considered.

Senator Willett moved to suspend the eleventh rule, and read the bill a third time.

Senator Dashiell moved to recommit the bill to the committee.

The motion to recommit was lost.

On the question of suspending the rules, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Young—41.

The nays were:

Senators Bestow, Dashiell, Rothert, Stoneman, Teale, and Woolson—6.

Absent or not voting:

Senators Bailey, Dows, and Wright—3.

So the motion to suspend the rules prevailed.

On the question shall the bill pass the yeas were:

Senators Bestow, Campbell, Clark, Cooley, Gilmore, Graham, Hartshorn, Jessup, McCormack, Miller of Black Hawk, Newton, Pease, Teale, Willett, and Williams—15.

The nays were:

Senators Arnold, Bailey, Carr, Conaway, Dashiell, Dwelle, Gallup, Harmon, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Nichols, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Wilson, Wonn, Wood, Woolson, and Young—33.

Absent or not voting:

Senators Carr, and Wright—2

So the bill having failed to receive a constitutional majority was lost.

At twelve o'clock and fifteen minutes P. M., on motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 10, 1876, }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. W. Monser.

On motion of Senator Young, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, and joint resolution in which the concurrence of the Senate is asked.

H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10.

H. F. No. 72, A bill for an act to repeal section 4556 of the Code, and enact a substitute therefor, and render competent as witnesses in their own behalf defendants in criminal cases.

H. F. No. 320, A bill for an act making appropriation to pay expense of inauguration ceremonies.

Joint resolution relative to State revenue stolen from Bremer county, Iowa.

I also herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 7, A bill for an act to repeal section 390, of chapter 9, title 4 of the Code, relating to township officers, and enacting a substitute therefor.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Campbell: A petition from the citizens of Malcom, Poweshiek county, asking for a law prohibiting railroad trains from running on the sabbath.

Referred to Committee on Railroads.

Also: A like petition from the citizens of Greene county, on the same subject, which was referred to same committee.

By Senator Murphy: A petition from citizens of Davenport, asking for a special tax not exceeding one mill for free public libraries.

Referred to Committee on Schools.

By Senator Perkins: A petition from A. J. Millard, asking for payment of claim for boarding soldiers.

Referred to Committee on Claims.

By Senator Dwelle: A petition from citizens of Cerro Gordo county, and one from the citizens of Clay county, praying that the time asked by the McGregor and Missouri River Railroad Company be granted.

By Senator Bailey: A petition from citizens of New Hampton, praying for an amendment to the State Constitution prohibiting the use of public funds to the use of parochial schools and religious purposes.

Referred to Committee on Schools.

By Senator Willett: A petition from citizens of Decorah, praying for extension of time to McGregor and Missouri River Railroad Company.

Referred to Committee on Railroads.

By Senator Merrell of Clinton: A petition from farmers in Clinton county, asking for further and definite legislation in relation to division fences.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Young: S. F. No. 172, A bill for an act changing the boundaries of Cass and Pottawattamie counties.

Read first and second time, and referred to Committee on County and Township Organization.

By Senator Perkins: S. F. No. 173, A bill for an act to amend section 3049 of the Code of Iowa, title 18, chapter 2, of executions.

Read first and second time, and referred to Committee on Municipal Corporations.

Also, S. F. No. 174, A bill for an act to call special elections in certain townships.

Read first and second time, and referred to Committee on Elections.

By Senator Murphy: S. F. No. 175, A bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms.

Read first and second time, ordered printed and referred to Committee on Schools.

By Senator Campbell: S. F. No. 176, A bill for an act to amend section 853 chapter 1, title 6, of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

By Senator Stoneman: S. F. No. 177, A bill for an act to amend section 807, of chapter 1, title 6, of the Code of Iowa, relative to taxing Insurance Companies.

Read first and second time, ordered printed and referred to Committee on Insurance.

By Senator McCormack: S. F. No. 178, A bill for an act to amend section 1955 of the Code.

Read first and second time, and referred to Committee on Judiciary.

By Senator Shane: S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7, of the Code, and for other purposes.

Read first and second time, and referred to Committee on College for the Blind.

On motion of Senator Murphy the special order for ten and a half o'clock, S. F. No. 39, a bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 8, of the Code, in relation to revenue; was postponed until the regular order of business was finished.

COMMUNICATIONS UPON THE PRESIDENT'S TABLE.

The President laid before the Senate the following communications from the Governor, which was read by the Secretary and passed on file:

STATE OF IOWA, EXECUTIVE DEPARTMENT, }
DES MOINES, February 8, 1876. }

Gentlemen of the Senate and House of Representatives:

I transmit herewith for the consideration of the General Assembly the annual report of the Secretary of the State Agricultural Society. This document contains a mass of information usual with the reports of this officer, and is an interesting presentation of facts concerning the agricultural products and resources of the State. Of the value of these reports I need not speak; the series has been before the people too long to require any laudation. This report, it will be remembered, comprises the introductory part of the annual publication of the Society's Proceedings, and is there accompanied with essays upon various topics of interest to the farmer. For the publication of this compilation, provision is made by law; but it has been the custom also to publish the Secretary's report proper at the same time as those of the institutions more directly under the control of the State, in order that its facts may be presented to the people at an earlier day and in a more convenient form than the full volume would offer. I suggest, therefore, that the General Assembly provide for the printing of an early edition of this document say, the same number as of the other documents.

I also invite your attention to the suggestions of the Secretary in relation to the needs of the Society, and ask that the General Assembly consider the same in conjunction with the work the State Agricultural Society has done, and is calculated to do, in the future, for the development of the material interests of the State.

As the Secretary's report is somewhat voluminous, I have not thought it necessary to have it copied, but herewith send the original to the House of Representatives.

SAMUEL J. KIRKWOOD.

HOUSE MESSAGES.

H. F. No. 27, A bill for an act relating to the appointment of sundry city officials, and repealing sections 534 and 535 of the Code, title 4, chapter 10, and enacting a substitute therefor.

Read first and second time and referred to Committee on Municipal Corporations.

Substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes.

Read first and second time and referred to Committee on Penitentiary.

Substitute for H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation.

Read first and second time and referred to Committee on Appropriations.

H. F. No. 290, A bill for an act to legalize the organization of the city of Oskaloosa, as a city of the second class and to legalize the annexation thereto of certain territory.

Read first and second time, and referred to Committee on Municipal Corporations.

H. F. No. 58, A bill for an act to amend section 989, of chapter 2,

title 7 of the Code, in relation to the powers and duties of road supervisors.

Read first and second time, and referred to Committee on Agriculture.

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same.

Read first and second time, and referred to Committee on Municipal Corporations.

Substitute for H. F. No. 109, A bill for an act to repeal section 1, chapter 25 of the acts of the Fifteenth General Assembly, relating to plats of city and town lots, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Compensation of Public Officers.

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson a notary public in and for Adair county.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees.

Read first and second time, and referred to Committee on County and Township Organization.

H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

Read first and second time, and referred to Committee on Banks.

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns.

Read first and second time, and referred to Committee on Municipal Incorporations.

H. F. No. 72, A bill for an act to repeal section 4556 of the Code, and enact a substitute therefor, and render competent as witnesses in their own behalf, defendants in criminal cases.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 320, A bill for an act making appropriation to pay the expenses incurred by the ceremonies of inauguration.

Read first and second time, and referred to Committee on Appropriations.

Joint resolution relative to state revenue stolen from Bremer county, Iowa.

Read first and second time, and referred to Committee on Claims.

REPORT OF STANDING COMMITTEES.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 7, An act to repeal section 390, chapter 9, title 4 of the Code, relating to township officers, and enacting a substitute in lieu thereof, and find the same correctly enrolled.

H. C. CARR, *Chairman*.

Also, the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, H. F. No. 7, An act to repeal section 390 of chapter 9, title 4 of the Code, relating to township officers, and enacting a substitute in lieu thereof.

H. C. CARR, *Chairman*.

Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 136, A bill for an act to amend section 1555 of the Code, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words, "in the preceding section," in the ninth line, and inserting in lieu thereof the words, "this section," and that when so amended it do pass.

E. JESSUP, *Chairman*.

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 167, a bill for an act to increase the limit of taxation in cities of the second class, and petition from the citizens of McGregor, Iowa, in relation to the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments to whom was referred the joint resolution, proposing certain amendments to the State Constitution relative to public funds, beg leave to report that they have had the same under consideration and the majority of said Committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the printed resolution the words, "nor shall any sectarianism be taught therein," and as so amended that the same be adopted.

HENRY L. DASHIELL, *Chairman*.

Ordered passed on file.

On motion of Senator Murphy, the joint resolution was re-committed to the Committee on Constitutional Amendments.

Senator Miller, from the Committee on Military, submitted the following report:

MR. PRESIDENT:—Your Committee on Military, to whom was referred S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quarter Master General of the State, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your Committee on Military, to whom was referred S. F. No. 40, A bill for an act authorizing the Governor to appoint four Aids-de-Camp, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. G. MILLER, *Chairman.*

Ordered passed on file.

Senator Kinne, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT :—Your Committee on Constitutional Amendments to whom was referred the joint resolution agreeing to ratifying and confirming amendments to the State Constitution striking the word "male" therefrom, beg leave to report that they have had the same under consideration and the majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be not adopted.

S. H. KINNE, *for Committee.*

Ordered passed on file.

Senator Gallup, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT :—The minority of the Committee on Constitutional Amendments, to whom was referred joint resolution to amend the Constitution by striking out the word "male" beg leave to report that they have had the same under consideration and the minority have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY L. DASHIELL, *Chairman.*

ELIAS JESSUP,

W. H. GALLUP.

Ordered passed on file.

Senator Cooley, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and to re-enact section 3812 of the Code, relating to pay of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "six" in the fifth line of section 1, and insert "ten" in the same place, and that when so amended the bill do pass.

D. N. COOLEY, *for the Committee.*

Ordered passed on file.

Senator Gallup, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT :—Your Committee on Agricultural College, to whom was referred S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section 3; that the word "divided" in the first line of section 6 be changed to "derived;" that the figure "8" in sixth line of section six be changed to "6;" that the bill be divided, incorporating the subjects of sections six and seven in a new bill, which is herewith reported; and that section 4 be changed to three: section 5 to section 4; section 8 to section 5, and as thus amended that the bills do pass.

W. H. GALLUP, *Chairman.*

Ordered passed on file.

On motion of Senator Gallup, the bill was referred to Committee on Appropriations.

By permissoin, Senator Gallup, from the Committee on Agricultural College, introduced S. F. No. 180, A bill for an act to borrow from the permanent endowment fund of the State Agricultural College to meet a casual deficit in the revenue, and to meet expenses not otherwise provided for.

Read first and second time, and referred to Committee on Ways and Means.

Senator Woolson, from the Committee on Hospitals for the Insane submitted the following report:

MR. PRESIDENT:—Your Committee on Hospitals for the Insane to whom was referred S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane, at Mount Pleasant, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that they find the repairs provided for by the bill are required to be made without delay for the usefulness of the institution, and are demanded by the necessities of the State. The committee recommend the making of the appropriations called for, and that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

On motion of Senator Woolson, the bill was referred to Committee on Appropriations.

Also the following:

MR. PRESIDENT:—Your Committee on Hospitals for the Insane to whom was referred S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that they have examined the same and find the appropriation called for and demanded by the necessities of the institution and the State, and they recommend the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

On motion of Senator Woolson, the bill was referred to Committee on Appropriations.

RESOLUTION.

Senator Campbell offered the following resolution, which was agreed to:

Resolved, That on and after February 15th, no bill, except for appropriations, shall be introduced into the Senate except through a committee, unless by unanimous consent, and that the appropriation bills for extraordinary purposes, for the various state institutions, shall be laid before this body at or before a date not later than the 20th inst.

SPECIAL ORDER.

The Senate took up and considered S. F. No. 39, and on motion of Senator Shane, the further consideration of the bill was postponed until to-morrow afternoon at two o'clock.

Senator Nichols moved to re-consider the vote by which S. F. No. 36, A bill for an act relating to the coupling of railroad cars, was lost on yesterday.

The motion to re-consider prevailed.

Senator Nichols moved to re-consider the vote by which the bill was read a third time.

The motion prevailed.

Senator Nichols moved to re-commit the bill to the Committee on on Judiciary.

The motion was agreed to.

On motion of Senator Rothert, S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, was taken up.

The question being on the motion of Senator Cooley to strike out the first section.

On this question the yeas and nays were demanded, and the yeas were :

Senators Campbell, Carr, Conaway, Cooley, Dwelle, Gallup, Gilmore, Hersey, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Pease, Stoneman, Willett, Williams, and Wilson—19.

The nays were :

Senators Bailey, Bestow, Clark, Dashiell, Graham, Harmon, Harts-horn, Hebard, Hitchcock, Jessup, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Shane, Teale, Thornburg, Wonn, Wood, Woolson, and Young—28.

Absent or not voting :

Senators Arnold, Dows, and Wright—3.

The motion did not prevail.

The Senate refused to concur in the amendments reported by the committee.

Senator Cooley moved to adjourn.

The motion was lost.

Senator Woolson moved to strike out section 2.

On this motion the yeas and nays were demanded, and the yeas were:

Senators Bestow, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Murphy, Pease, Stoneman, Teale, Willett, Wilson, and Woolson—19.

The nays were:

Senators Bailey, Campbell, Carr, Clark, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Thornburg, Williams, Wonn, Wood, and Young—27.

Absent or not voting:

Senators Arnold, Cooley, Dows, and Wright—4.

So the motion to strike out did not prevail.

On motion of Senator Shane, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Clark, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumble, Shane, Thornburg, Williams, Wonn, Wood, and Young—27.

The nays were:

Senators Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Jessup, Kinne, McCormack, Maginnis, Merrell of Clinton, Murphy, Pease, Rothert, Stoneman, Teale, Willett, Wilson, and Woolson—20.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill having failed to receive a constitutional majority was lost.

Senator Rothert moved to reconsider the vote by which the bill was lost.

The motion prevailed.

Senator Rothert moved to reconsider the vote by which the bill was read a third time.

The motion was agreed to.

Senator Rothert moved to make the bill a special order for three o'clock this afternoon.

Senator Cooley moved to amend by making it next Tuesday at three o'clock P. M.

The amendment prevailed.

The motion then, as amended, was agreed to.

Senator Arnold was excused until Monday.

At 12:25 P. M., on motion of Senator Bailey, the Senate adjourned.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment and was called to order by the President.

BILLS ON SECOND READING.

S. F. No. 129, A bill for an act to amend section 2142, chapter 8, title 14 of the Code, relating to enforcing mechanics' liens, with the report

of the committee recommending it be indefinitely postponed, was taken up and the report of the committee was adopted.

S. F. No. 126, A bill for an act to amend section 3051 of chapter 2 of title 18 of the Code, relating to garnishments on executions was taken up, with the report of the committee recommending that it be indefinitely postponed, and the report of the committee adopted.

S. F. No. 100, A bill for an act to amend section 4228, chapter 12, title 25 of the Code, with the report of the committee recommending a substitute, and when said substitute is adopted that it do pass, was taken up.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were:

Senators Bestow, Carr, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCormack, Maginnis, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Willett, Williams, Wilson, Wood, and Woolson—31.

The nays were:

Senators Bailey, Campbell, Clark, Dashiell, Jessup, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Shane, Thornburg, and Wonn—11.

Absent or not voting:

Senators Arnold, Dows, McCoid, Merrell of Clinton, Mitchell, Teale, Wright, and Young—8.

So the substitute was adopted.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—45.

The nays were:

Senator Dashiell—1.

Absent or not Voting:

Senators Arnold, Dows, Wright, and Young—4.

So the bill passed and the title was agreed to.

S. F. No. 56, A bill for an act to amend section 1, chapter 28, of the laws of the Fifteenth General Assembly, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee adopted.

S. F. No. 83, A bill for an act to amend chapter 28 of the acts of the Fifteenth General Assembly, with the report of the committee recommending that it be indefinitely postponed, was taken up and the report of the committee adopted.

S. F. No. 77, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors and to enlarge such powers, was taken up with the report of the committee recommending

that it be indefinitely postponed, and the report of the committee adopted.

S. F. No. 63, A bill for an act to amend chapter 5, of the Code of 1873, and add thereto, with the report of the committee recommending its passage, was taken up and made special order for two and a half o'clock, February 11th.

S. F. No. 66, A bill for an act to amend chapter 43, of the Laws of the Fourteenth General Assembly, with the report of the committee recommending its passage, was taken up and considered.

Senator Merrell of Clinton, moved to refer the bill to the Committee on Judiciary and Penitentiary, and that they report at as early a day as possible.

Senator Larrabee moved to amend by striking out Judiciary Committee.

The motion was lost.

The motion to refer was then agreed to.

S. F. No. 98, A bill for an act granting authority to the board of trustees of the Iowa Agricultural College to establish an agency for leasing, releasing and sale of college endowment lands, with the report of the committee recommending its passage was taken up and considered.

Senator Mitchell offered the following substitute for section 2:

"The trustees are further authorized to fix the fees to be paid to the agent appointed by them and in defraying the expenses of the agency so established, provided such fees are not paid out of any proceeds that may fall due under such lease."

The substitute was adopted.

Senator Williams moved to amend section 2, by striking out all after the word "are," and insert the words "paid by the lessees."

The amendment was adopted.

Senator Rumble move to recommit the bill to the committee.

The motion did not prevail.

Senator Woolson offered the following amendment to section 1, by adding:

"But no such agent shall be appointed with authority to receive any money until he has executed a good and sufficient bond to be approved by the trustees in a sum double the amount he will be likely to receive, and every such agent shall make a monthly statement under oath to the college treasurer of the amount received by him, and transmit therewith all funds shown to be in his hands."

Senator Bestow moved to recommit the bill to the committee.

The motion was lost.

The amendment of Senator Woolson was adopted.

On motion of Senator Campbell the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—46.

The nays were:

Senator Kinne—1.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill passed and the title was agreed to.

Senator Dows and Wright were granted leave of absence on account of sickness.

S. F. No. 8, A bill for an act to amend section 4746 of the Code, was taken up.

The question being on the motion to reconsider the vote by which the bill was lost, the motion to reconsider prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dwelle, Graham, Hartshorn, Hersey, Jessup, Miller of Appanouse, Mitchell, Newton, Pease, Willett, Williams, Wood, Woolson, and Young—20.

The nays were:

Senators Cooley, Gallup, Gilmore, Harmon, Hebard, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Perkins, Rother, Rumple, Shane, Stoneman, Teale, Thornburg, Wilson, and Wonn—26.

Absent or not voting:

Senators Arnold, Clark, Dows, and Wright—4.

So the bill having failed to receive a constitutional majority was lost.

S. F. No. 34, A bill for an act to extend the time named in "an act making a grant of land to the McGregor and Sioux City Railway Company, and the Forty-third Parallel Railway Company, approved March 31st, 1868."

Also S. F. No. 53½, A bill for an act to resume all the lands and rights conferred upon the McGregor and Sioux City Railway Company by or under an act of Congress, approved May 12th, 1864.

With S. F. No. 95, A bill for an act making a grant of lands to the Iowa, Dakota and Black Hills Railroad Company, and to execute the trust conferred by act of Congress, approved May 12th, 1864, with the report of the committee recommending a substitute, and when the substitute is adopted that it do pass, was taken up and considered.

Senator Cooley moved to postpone the further consideration of the substitute until Wednesday next at eleven o'clock, and print the report of the Committee.

Senator Cooley called for a division of the question.

The motion to postpone was agreed to.

The motion to print was adopted.

S. F. No. 135, A bill for an act to repeal section 3567, title 21, chapter 1 of the Code, relating to filing transcripts in the clerk's office, and to provide a substitute therefor, with the report of the committee recommending its passage, was taken up and considered.

Senator Nichols moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack,

Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—44.

The nays were:

Senators Miller of Black Hawk, and Shane—2.

Absent or not voting:

Senators Arnold, Conaway, Dows, and Wright—4.

So the bill passed and the title was agreed to.

S. F. No. 60, A bill for an act to amend section 320, chapter 3, title 4 of the Code of Iowa, was taken up with the report of the committee recommending amendments and when so amended that it do pass.

Amendments proposed by the committee were adopted.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—45.

The nays were:

Senators Campbell, and McCormack—2.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill passed and the title was agreed to.

S. F. No. 134, A bill for an act to amend section 2529 of the Code, in relation to limitations of actions, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

Joint resolution to amend the State Constitution by striking out the word, "Male," with the reports of a majority and minority committee, was postponed until the 16th of February.

S. F. No. 136, A bill for an act to amend section 1555 of the Code, was taken up with report of committee recommending amendments, and when so amended it do pass.

Considered and passed on file.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class, was taken up with the report of the committee, recommending that it do pass.

Senator Stoneman moved to suspend the eleventh rule, and read the bill a third time now.

The motion was agreed to.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols,

Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—47.

The nays were none.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill passed and the title was agreed to.

S. F. No. 42, A bill for an act regulating the expenditures and accounts of the Quarter Master General of the State, with the report of the committee recommending its passage, was taken up and considered.

Senator Campbell moved to amend by striking out the word "Governor" in the first section and insert "Executive Council."

The motion was agreed to.

Senator Miller of Black Hawk, moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchel, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—46.

The nays were none.

Absent or not voting:

Senators Arnold, Dows, Jessup, and Wright—4.

So the bill passed and the title was agreed to.

S. F. No. 40, A bill for an act authorizing the Governor to appoint four aids-de-camp, with the report of the committee recommending its passage, was taken up and considered.

Senator Merrell of Clinton moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Campbell, Clark, Dashiell, Harmon, Hartshorn, Hebard, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rumble, Shane, Willett, Woolson, and Young—25.

The nays were:

Senators Bailey, Bestow, Carr, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Hersey, Hitchcock, Jessup, Miller of Appanoose, Murphy, Rothert, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, and Wood—22.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill having failed to receive a constitutional majority, was lost.

Senator Stoneman moved to reconsider the vote by which the bill was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Campbell, Carr, Clark, Dashiell, Gallup, Harmon, Hartshorn, Hebard, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Perkins, Rumble, Shane, Stoneman, Willett, Williams, Woolson, and Young—27.

The nays were:

Senators Bailey, Bestow, Conaway, Cooley, Dwelle, Gilmore, Graham, Hersey, Hitchcock, Jessup, Miller of Appanoose, Murphy, Nichols, Pease, Rothert, Teale, Thornburg, Wilson, Woon, and Wood—20.

Absent or not voting:

Senators Arnold, Dows, and Wright—3.

So the bill passed and the title was agreed to.

S. F. No. 58, A bill for an act to repeal chapter 32 of the public laws of the Fifteenth General Assembly, and to re-enact section 3812 of the Code, relating to the pay of jurors, with the report of the committee recommending amendments and when so amended it do pass, was taken up and the committee amendments concurred in.

On motion of Senator Cooley, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Stoneman, Teale, Thornburg, Willet, Williams, Wilson, Wonn, Woolson, and Young—38.

The nays were:

Senators Dashiell, Dwelle, Gilmore, Graham, Larrabee, Lovell, Mitchell, and Wood—8.

Absent or not voting:

Senators Arnold, Dows, Rothert, and Wright—4.

So the bill passed and the title was agreed to.

On motion of Senator Jessup, the Senate at 4:40 P. M., adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 11, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. T. S. Berry.

The reading of the journal of yesterday, was, on motion of Senator Campbell, dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that

the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked.

H. F. No. 68, A bill for an act to amend section 1428 of the Code.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes and to provide for the collection thereof.

H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code.

H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12, of the Code, relating to compensation of school officers.

H. F. No. 113, A bill for an act to authorize the Auditor of State to settle and adjust revenue, insane, law and other accounts, with the several county officers, and providing means to pay the expenses thereof.

Also substitute for S. F. Nos. 17 and 18, A bill for an act to increase the number of judges of the Supreme Court, without amendment.

JAS. W. LOGAN, *Chief Clerk.*

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Murphy: Resolutions of the Davenport Board of Trade against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Conaway: A petition from citizens of Poweshiek county, protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Bailey: A petition from citizens of New Hampton, asking for the extension of time to the McGregor & Missouri River Railway Company.

Referred to Committee on Railroads.

By Senator Mitchell: Resolutions of Coal Exchange of Des Moines, asking for the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Stoneman: A petition from the citizens of Monona, asking that the Iowa Militia be given a representation at the Centennial, at Philadelphia.

Referred to Committee on Military.

By Senator Cooley: A petition from the citizens of Taylor township, Dubuque county, praying for an amendment to the State Constitution, prohibiting the use of public funds for Parochial School and Religious purposes.

Referred to Committee on Constitutional Amendments.

Senator Shane, from the Committee on Centennial, reported back several petitions, which were referred to Committee on Military.

By Senator Wright: A remonstrance from the citizens of eastern trio of townships in Pottawattamie county, protesting against any legislation annexing them to Cass county.

Referred to Committee on County and Township Organizations.

By Senator Clark: A memorial from M. V. Burdick, relative to the salaries of the Judges of the District and Circuit Courts.

Referred to Committee on Judiciary.

By Senator Woolson: A petition of Geo. W. Trumble, and twenty other citizens of Henry county, asking for a change in the law relating to mechanic's lien.

Referred to Committee on Judiciary.

By Senator Woolson: Minutes of the Keokuk Bar, asking that S. F. No. 121, be not passed, also a similar petition from the Bar of Henry county; also one from the Des Moines county Bar on the same subject, making the same request.

The petitions were referred to Committee on Judiciary.

By Senator Williams: A like petition from W. R. Sellers, shorthand reporter of First Judicial District.

Referred to Committee on Judiciary.

By Senator Mitchell: A petition from the Board of Supervisors of Mitchell county, relative to the revision of the Constitution and the Code in regard to the abolishment of the grand jury system.

Referred to Committee on Constitutional Amendments.

By Senator Mitchell: A petition from citizens of Des Moines, asking that the bill taking away from cities of the first class the choice of electing certain officers, be not passed.

Referred to Committee on Municipal Incorporations.

INTRODUCTION OF BILLS.

By Senator Lovell: S. F. No. 181, A bill for an act to provide for the issuing of executions by justices of the peace into other counties.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Williams: S. F. No. 182, A bill for an act to provide for the professional qualifications of civil officers.

Read first and second time, and referred to special committee consisting of Senators Conaway and Jessup.

By Senator Mitchell: S. F. No. 183, A bill for an act to regulate and enforce reciprocity between express companies doing business in the State of Iowa.

Read first and second time, ordered printed and referred to Committee on Railroads.

By Senator Teale: S. F. No. 184, A bill for an act to extend the provisions of chapter 9, title 11, of the Code, to private bankers, and unincorporated banking associations and to repeal section 1574 of the Code and to provide a substitute therefor.

Read first and second time, ordered printed and referred to Committee on Banks.

By Senator Rothert: S. F. No. 185, A bill for an act to amend section 1555, chapter 6, title 11, of the Code, relating to the sale of intoxicating liquors.

Read first and second time, ordered printed and referred to Committee on Suppression of Intemperance.

By Senator Young: S. F. No. 186, A bill for an act to amend section 940 of the Code, and providing for pay of appraisers in certain cases.

Read first and second time and referred to Committee on Highways.

By Senator Pease: S. F. No. 187, A bill for an act to amend section 986, title 7, chapter 2, of the Code of 1873.

Read first and second time, ordered printed and referred to Committee on Highways.

By Senator Maginnis: S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the state of Iowa.

Read first and second time and referred to Committee on Appropriations.

On motion of Senator McCoid S. F. No. 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6, of the Code, in relation to revenue, was made special order for Tuesday next at 10½ o'clock, A. M.

Senator Shane moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning.

The motion was agreed to.

HOUSE MESSAGES.

H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code.

Read first and second time and passed on file.

H. F. No. 68, A bill for an act to amend section 1428 of the Code.

Read first and second time, and referred to Committee on Ways and Means.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes for the insane, and to provide for the collection thereof.

Read first and second time, and referred to Committee on Ways and Means.

H. F. No. 115, A bill for an act to amend section 1733, chapter 9, title 12 of the Code, relating to the compensation of school officers.

Read first and second time, and referred to Committee on Schools.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof.

Read first and second time, and referred to Committee on Ways and Means.

COMMITTEE REPORTS.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report :

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 138, A bill for an act requiring counties to refund taxes voted and collected in aid of the construction of railroads, to cancel certain unpaid taxes and to extend certain taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

On motion of Senator Jessup, S. F. No. 63, A bill for an act to amend chapter 5 of the Code of 1873, and add thereto, was made a special order for February 14th, at 2½ o'clock P. M.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined substitute for S. F. Nos. 17 and 18, entitled an act to increase the number of judges of the Supreme Court, and find the same correctly enrolled.

Also the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 181, An act to amend section 303, chapter 2, title 4 of the Code, in relation to the powers of the boards of supervisors, and to enlarge such powers, and find the same correctly enrolled.

H. C. CARR, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House: S. F. No. 17 and 18, A bill for an act to increase the number of Judges of the Supreme Court.

I am also directed to inform your honorable body that the House has concurred in the Senate amendment to H. F. No. 181, A bill for an act to amend section 303 of the Code, in relation to the powers of boards of supervisors.

BENJ. VAN STEINBURG,
Assistant Clerk.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, substitute for S. F. No. 17 and 18, entitled an act to increase the number of Judges of the Supreme Court.

H. C. CARR, *Chairman.*

BILLS ON SECOND READING.

S. F. No. 136, A bill for an act to amend section 1555 of the Code, was taken up, and made a special order for February 18th, at 10 o'clock.

GENERAL ORDER.

S. F. No. 113, A bill for an act to amend chapter 1, of title 23, of the Code of Iowa, in relation to the compensation of public officers, was taken up and considered.

Senator Shane moved to suspend the eleventh rule and read the bill a third time now.

Senator Miller moved to strike out section 4.

Senator Rumble was granted leave of absence until Thursday next.

Senator Cooley moved to adjourn.

The motion did not prevail.

Senator Stoneman moved the previous question, which was seconded and the main question ordered.

The question being on the motion to strike out section 4 ; it prevailed.

The question then being on the engrossment of the bill, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Cooley, Gallup, Hebard, Hersey, Jessup, Maginnis, Miller of Black Hawk, Mitchell, Newton, Rothert, Shane, Willett, Williams, and Young—16.

The nays were:

Senators Bailey, Campbell, Carr, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Pease, Stoneman, Teale, Thornburg, Wilson, Wood, Woolson, and Wright—29.

Absent or not voting:

Senators Dows, Nichols, Perkins, Rumble, and Wonn—5.

So the bill was lost on engrossment.

Senator Murphy moved to adjourn.

The motion prevailed, and at 12:05 P. M., the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 12 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. W. Monser.

On motion of Senator Shane, the reading of the journal of yesterday was dispensed with.

Senator Nichols was excused for absence yesterday on account of sickness.

Senators Clark, Cooley, Jessup, and Stoneman were excused.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4 of the Code.

H. F. No. 145, A bill for an act to repeal section 985, title 7, chapter 2 and section 3077, title 18, chapter 2 of the Code.

Also the House has passed without amendment, S. F. No. 424, a bill for an act in relation to the recording of United States patents for lands.

BENJ. VAN STEINBURG,
Assistant Clerk.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Kinne: A petition from the bar of Allamakee county, asking for an extra term of the District Court.

Passed on file.

By Senator Wright: A petition from five hundred citizens of Pottawattamie county, relating to the organization of a new county.

Referred to Committee on County and Township Organization.

By Senator Miller of Appanoose: A petition from citizens of Centerville, Iowa, asking the ratification of the action of the Fifteenth General Assembly, submitting to the people, the proposition to strike the word "male" from State Constitution.

Passed on file.

By Senator Teale: A petition from citizens of Decatur county, asking that steps be taken toward abolishing the grand jury system.

Passed on file.

By Senator Wood: A petition from citizens of Muscatine, asking that a chair be given to the homeopathic profession, in the Iowa State University.

Referred to Committee on State University.

By Senator Dwelle: A petition from citizens of Worth county, asking that the time asked for be granted to McGregor and Missouri River Railroad Company.

Referred to Committee on Railroads.

By Senator Woolson: A petition from citizens of Henry county asking for a change in the law relating to mechanic's lien.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Perkins: S. F. No. 189, A bill for an act to legalize the issue of certain time warrants in Lyon township, Lyon county, Iowa, and provide for paying the same.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Perkins: S. F. No. 190, A bill for an act to enable counties to dispose of certain property in payment of claims.

Read first and second time, and referred to Committee on Ways and Means.

By Senator Kinne: S. F. No. 191, A bill for an act providing for holding three terms of the District Court annually in Allamakee county, in the Tenth Judicial District.

Read first and second time, and referred to Committee on Judiciary.

By Senator Gilmore: S. F. No. 192, A bill for an act to amend

chapter 2, of title 23, of the Code of Iowa, in relation to increasing the number of days that the members of the Board of Supervisors shall receive compensation.

Read first and second time, and referred to Committee on Ways and Means.

By Senator Williams: S. F. No. 193, A bill for an act requiring county surveyors to record all surveys by them officially made.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator Dashiell: S. F. No. 194, A bill for an act to repeal section 3829 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Compensation of Public Officers.

By Senator Nichols: S. F. 195, A bill for an act to provide for the appointment and election of a railway commissioner, defining his duties, to prevent extortion and unjust discrimination by railway corporations, and to amend chapter 68 of the laws of the Fifteenth General Assembly, entitled an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railways of this State.

Read first and second time, ordered printed and referred to Committee on Railroads.

By Senator Miller of Black Hawk: S. F. No. 196, A bill for an act in relation to text books in common schools.

Read first and second time, and referred to Committee on Schools.

RESOLUTIONS.

Senator Hersey presented the following resolutions, passed by the Delaware County Farmers' Institute, held at Earlville, Iowa, January 11-14, 1876:

1st. *Resolved*, That we urge upon our Legislature the importance of preventing, by some measures, the frequent and expensive changes in the text books in our common schools, such changes making a serious tax upon parents, and also being injurious to the public.

2d. *Resolved*, That all children between the ages of seven and fifteen years, unless excused by proper authority, and for sufficient reason, be required to attend school at least four months each year, and for failure to do so, the parent or guardian shall be fined at least two dollars for each scholar's absence, the fine to be for the benefit of the general school fund.

3d. *Resolved*, That it is the sense of this Institute, that the State has the constitutional right to enact stringent laws for the suppression of the traffic in spirituous liquors as a beverage; and, *Resolved further*, That we ask the General Assembly of the State of Iowa, now in session, by no means by any enactment, to weaken the present prohibitory liquor law.

4th. *Resolved*, That the herd laws should become universal in Iowa, and stock should be restrained from running at large by State enactment.

5th. *Resolved*, That all taxable property should be assessed at its

cash value, and that all assessments which constitute the double taxation of real estate, through the taxing of mortgages, be remitted.

6th. *Resolved*, That in view of the existing fact that litigation has become so expensive, and that this expense is drawn from the tax payers, on the part of the farmers of Delaware, that we protest against trial by jury, unless in cases when trial by arbitration has failed to give satisfaction.

7th. *Resolved*, That copies of these resolutions be forwarded to our county representatives, and request the same to be laid before the Senate and House of Representatives of the State of Iowa.

I hereby certify that the above is a true copy of the resolutions passed by the Delaware County Institute, at the January session, 1876.

E. O. CLEMANS,

Secretary of said Institute.

The different resolutions were referred to the several appropriate committees.

HOUSE MESSAGES.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4 of the Code, in relation to insurance companies, and to enact a substitute therefor.

Read first and second time and referred to Committee on Insurance.

H. F. No. 145, A bill for an act to repeal the following sections of the Code, and enact substitutes therefor, viz: Section 985, title 7, chapter 2, in relation to powers and duties of road supervisors; and section 3677, title 18, chapter 2, relating to exemption from execution.

Read first and second time, and referred to Committee on Highways.

COMMITTEE REPORT.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a notary public in and for Adair county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 176, A bill for an act to amend section 853, chapter 1, title 6 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Ways and Means.

Ordered passed on file, and bill so referred.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 124, A bill for an act to provide for the enforcement of

warrants and orders of corporations in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 161, A bill for an act to amend section 3809 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "county auditor," and insert in lieu thereof the words "township trustees." That the title be amended by substituting the following as the title of the bill: "A bill for an act to amend section 3809 of chapter 2, of title 23 of the Code in relation to settlement by Township Clerks," and that so amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly in relation to city and town lots, and in relation to the annexation of contiguous territory to cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 5, A bill for an act to repeal section 3849 of the Code of 1873, and to enact a substitute therefor, and to restore capital punishment, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the accompanying substitute with the recommendation that it be adopted, and when adopted that it do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 181, A bill for an act to amend section 303, chapter 2, of title 4 of the Code, in relation to the powers of the board of supervisors and enlarge such powers.

BEN. VAN STEINBURG,
Assistant Clerk.

COMMITTEE REPORTS.

Senator Campbell, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred Senate resolution, asking inquiry into “the advisability of repealing the railroad tariff law enacted by the last General Assembly, and enacting a substitute therefor,” have had said resolution under consideration and have agreed to report, and do report to the Senate as follows:

We have examined into the workings of said law as far as it has been complied with, and are satisfied our people have been benefitted by it, the interests of the State advanced, and can find many reasons why said law should be retained upon our statute books.

While some of the railroads have complied with the law, others have refused to obey it, and are fighting it step by step through the courts to the highest judicial tribunal in the land. The courts below have affirmed the constitutionality of its provisions, and we anticipate a similar decision from the United States Supreme Court. This we regard as one great point gained in favor of the law. We find the law has reduced rates within the State largely; has wiped out the unjust discriminations and extortions that existed throughout the State prior to its passage; it has opened up markets within the State for our own products, facilitated the interchange of commodities at home, fostered the building up of manufactures at different points, the development of our agricultural resources, and is operating largely in favor of Iowa and Iowa people. Not a petition for repeal from our constituents has reached us, and we believe our people are content with the law, and desire to have it thoroughly tested.

The railroads of the State claim that the law reduced their rates on freight too largely, but as far as your Committee is aware do not ask amendments—they desire the *unconditional repeal* of the law, as far as freight rates are concerned, opposing any and all legislation, and asking to be “let alone,” unrestricted.

If the railroads desire amendments made to the law now in force, removing restrictions that should not exist, or, in regard to rights which they claim have been infringed upon by past legislation, they are respectfully requested to make known to your Committee their grievances, in order that justice may be done and wrongs remedied.

F. T. CAMPBELL,

Chairman R. R. Committee.

Senator Perkins, from the Committee on Railroads, submitted the following minority report:

To the President of the Senate:—A minority of your Committee on Railroads, beg leave to report as follows, with reference to the resolution said to have been before the Committee, looking to a repeal of the present railroad tariff law. The Senator from Woodbury, did some days ago introduce the following resolution, which, upon motion was ordered referred to the Railroad Committee:

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Ordered passed on file.

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Ordered passed on file.

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"Resolved, That the Railroad Committee be instructed to inquire into the advisability of repealing chapter 68, laws of the Fifteenth General Assembly, (the railroad tariff act,) and enacting a substitute therefor, said committee to report by bill or otherwise. The resolution however, from some cause, has never been in possession of the committee, and therefore has never been considered by it, nor has any other resolution of like import ever been before the committee. The minority of your committee would therefore insist that it is wholly improper for the majority to represent that their report is a report upon the resolution in question, or upon any similar resolution.

If the majority of the committee deem it to be in good taste, as their report would indicate that they do, to present you with a paper picturing the heavenly beauties of the railroad tariff law as it stands, alleging in spirit that no human wisdom could enlarge the nobility of its scope or amplify the harmony of its operative justice; the minority of your committee shall not complain if they shall be indulged in their effort at your entertainment; but the minority of your committee would respectfully represent that it is possible that that element in legislation, call it buncombe or what you may, is not of so popular a character as it may have been in other and may be recent days.

The minority further ask to be indulged in the conviction that there is opportunity very justly to question the immaculate character of the present law; indeed, there is opportunity as the minority of your committee verily believe, to improve upon the legislation of two years ago, to rid it of certain features that through experience have been found antagonistic to the very ends sought to be obtained thereby. The minority of your committee feel further prepared to express the opinion that there is good reason to doubt that the law as it stands is such as was demanded two years ago by the producing classes and those most interested in the question of cheap transportation. There is room to apprehend that that law is an exaggerated attempt to meet what was then styled the grange sentiment of the State, but which, there is no room to doubt, in this law was totally disregarded as a portion of this report further on will show. Instead of the law in question having reduced the cost of transportation, and of having worked in various ways to the signal advantage of the State, there is abundance of evidence to support the contrary view. In fact complaints are made as to the direct and indirect effects of this law upon every hand, the public prints of many communities affirming that the cost of transporting grain to market has been increased under its operation from three to five cents a bushel, while it is generally regarded as having placed an embargo upon railroad building the State over.

This state of things, in the judgment of the minority of your committee, the committee should have carefully and impartially considered, seeking and accepting such information as was attainable, taking all necessary time to have arrived at safe, logical and valuable conclusions.

The subject to which the attention of the committee was invited was one of too much moment to warrant the hasty acceptance of a report out and dried by one man, evidently prepared to defeat the legitimate purpose of the resolution; therefore the minority of your committee are not prepared to subscribe to the undigested and undigestible assumptions of the majority.

The experience of other States, more favorably located than ours as to markets, may well be profited by here. You are familiar with the history of this class of legislation in Minnesota; the experiments of Massachusetts are everywhere accepted as of practical value; and just now attention is attracted by the recent action of Wisconsin, which is given in the following dispatch printed in the daily papers of this morning :

"MADISON, Wisconsin, February 10.—The popular reaction against the railroad tariff law in this State, known as the Potter law, which has been augmenting more in its force as the law has been day by day applying itself, was made manifest to-day by the Assembly passing a law which repeals all the objectionable portions of the law, and gives to the State a law which is practically the Minnesota law, and one which will be acceptable to the people and also to the railroads. The vote stood 67 to 31. There is no doubt of the passage of the bill in the Senate. Indeed the friends of the new law say that there will be only eight votes against it.

"This measure was made the special order in the Assembly yesterday, and great popular interest attached to the debate which ensued in that body.

"The press of the State, which at the time nearly all endorsed the Potter law, has latterly been advocating repeal or modification. The greatest pressure for such change comes from the farmers and many of the strongest friends that the Potter law had originally."

As indicating that there is room for the faith that Iowa sentiment upon this matter, is not correctly stated by the majority report, and for the conviction that Iowa people—producers—"our constituents"—may not be far separated in their views, from the people of Minnesota and Wisconsin, the minority of your committee beg leave to cite the following modest paragraph from the *State Register* of this date :

"The *Newton Head-Light*—Senator Campbell's paper—in an article on the railroad law, says that the *Register*, the *Burlington Hawk-Eye*, and several other papers are trying to manufacture public sentiment against that measure. As most of the papers of the State agree with the *Register* and the *Hawk-Eye*, and as there are only three or four papers in the whole State defending the law, it would seem that the genial Senator has a queer idea as to who it is that is going counter to public opinion. The gentleman is the twelfth juror who has found eleven very obstinate men. It seems to be his side, with the *Newton Head-Light*, and the *Davenport Gazette* and *Democrat*, and the *Muscatine Journal*, which are having the hardest time of it "manufacturing public sentiment". And even in that party, small as it is, there seems to be a division. For at the Davenport mass meeting, where the law was sustained, and the resolutions quoted elsewhere adopted, a recommendation for a change to the commissioner system barely escaped adoption. It may be that the great mass of the Iowa papers are wrong on this subject,—and the *Head-Light* and the three or four papers with it right. But still it may happen that the former are just as honest and sincere in their opinions and criticisms as are the latter,—and it may be, that the larger number of public presses reflect public sentiment just as faithfully as the smaller number."

Finally, the minority of your committee, ask your respectful atten-

tion to the following extract from the official proceedings, as published, of the fifth annual session of the Iowa State Grange, which it is believed generally supports the view of the minority committee, and places the Grangers, the producers, in opposition to the opinions so sweepingly expressed in the majority report.

"THE REPORT OF THE COMMITTEE TO MEMORIALIZE THE LEGISLATURE.

Your Committee would respectfully report that the duty was discharged as follows :

The Committee met at Des Moines in February, and unanimously agreed to submit to the General Assembly a memorial reciting that the Patrons of Husbandry wage no aggressive warfare against any other interest; that our business efforts are for the benefit of both the producer and consumer, and for all other interests that bring these into economical contact; that transportation companies are necessary to our success, their interests are intimately connected with, and largely dependent upon our interests, and so far from there being any unnecessary antagonism, harmonious action is mutually advantageous; that we need an increase of facilities for transportation, and we are the friends of railways and of all enterprises that advance the interests of the producing classes; that we oppose the tyranny of monopolies and wish honest and healthy competition in their stead; that we desire to see abuses abolished, and that fraud, extortion and corruption should cease.

In presenting this memorial to the Committee of the House of Representatives on Railways, of which Hon. J. Q. Tufts was chairman, your committee was received very kindly, and was invited to express orally the sentiments and views of our Order. Some of the members of your committee thereupon discussed the questions involved, presenting their views as to the advantages to be derived from competing routes to competing markets, and the importance of a proper and reasonable development of a system of railways that would enable our products to reach Chicago or St. Louis on fair terms, at the option of the shippers.

It was not the sense of your committee that a "cast iron tariff bill" would do justice to the people and to the railways, and at the same time tend to such extension of our means of reaching the markets of the world as seems to be demanded in the present, and must become a necessity at no distant day. Your committee felt that grave abuses existed in the management of railways, abuses that worked serious injury and wrong to the stockholders as well as to the public; and that the immense fortunes which have been so rapidly built up by railway managers have been filched from the owners of the roads as well as from the public. In the effort to abolish these abuses, and to prevent extortion, your committee approached the subject feeling great distrust in themselves, and a profound sense of the magnitude of their undertaking. They did not forget that the question of cheap transportation is fast becoming the leading issue of the day. When transportation levies a tax upon corn greater than the first cost of its production, it is easy to see which is king. It is immeasurably important, then, that the system should be equitably adjusted.

But to this end it is necessary that the subject should be understood and its importance appreciated. When due considerations shall have been given to it by the trained minds of every section of the country, when the judgment and experience of practical men from every department of commerce and production shall have been brought to bear upon it, added to the experience of all portions of our own country, and the tests to which it has been submitted in other lands, then, and not till then, might we expect to meet the mighty problem with hope of its solution.

Your committee, for these reasons, made no suggestions tending to control in minute detail the charges of the roads. Feeling that the "assembled wisdom" of Iowa needed light on the subject, your Committee recommended that legislation be confined to the correction of well known abuses; to the prevention of fraud, favoritism, and extortion; to the encouragement of competition, and to obtaining information on the subject that would justify legislation in detail, or prove it to be impracticable. To this end the committee presented the following propositions for enactment, and asked that suitable penalties should be provided for all violations:

1. That every tariff be general in form and apply to all persons alike.

2. That no intervening station be charged more than a station more remote for the same or similar services.

3. That all railway companies be required to transport the cars of other companies, corporations, and individuals, for a just and reasonable compensation, and with dispatch.

Your committee suggested the regulation of this compensation by providing that it should not exceed the lowest charges for similar transportation of their own cars, on any part of their own line, in either direction for an equal distance.

Your committee are still of the opinion, after more mature reflection, that these propositions, embodied in a law carefully prepared, would be found to be of some value as commencing a system of legislation in which it is important that no wrong or imposition should be enacted, and in which the successive steps should all be forward, and none backward. To the same end your committee recommended that information should be obtained and abuses corrected through the appointment of capable and true men, whose undivided attention should be given to this subject, constituting a system of Commissioners as follows:

1. That the Governor, with the consent of the Senate, appoint three Commissioners, who shall hold respectively one, two, and three years from the first day of May next; also; appoint in like manner a Commissioner for three years to fill each vacancy occurring by expiration of time of each Commissioner; and may in the same manner remove any of the Commissioners.

2. That the Commissioners have general supervision of railroads in the State, to examine them and keep themselves informed of the condition and manner in which they are operated with reference to the accommodation and security of the public, and the compliance of the roads with the provisions of their charters and the laws of the State.

3. That the Commissioners serve notice in writing upon the officers

of all roads that in their judgment fail to comply with the laws, or that fail to make necessary additions and repairs to their roads or rolling stock, or that fail to give due accommodation to the public in stations and station houses, or in any other way fail to promote the security, convenience and accommodation of the public, and demand of the said roads all such reasonable and expedient action as shall promote such security and accommodation.

4. That the Commissioners make examination of the condition and mode of operating any railroad upon the complaint of any railroad company, of the board of supervisors of any county, the mayor and aldermen of any town or city, or the petition of fifty tax payers of any county. That they give due notice to both parties of the time and place of such examination, and adjudge and decide the case upon its merits.

5. That the railroads furnish the Commissioners with all information demanded, and particularly with all leases, contracts, agreements, rates of charges, both with the public and other companies or corporations.

6. That the Commissioners have an office at the capital of the State, have a clerk, who shall receive a salary of not exceeding \$..... per annum, stationery, fuel, etc., not exceeding \$..... per annum, a salary of \$..... each per annum; one-half of which expenses shall be apportioned among the several railroads of the State, and paid by them, as other taxes of said roads are collected and paid, and the other half from the State Treasury.

7. That the Commissioners report to the General Assembly all their acts, and all such facts and explanations as will disclose the actual workings of the railroad system of transportation in its bearings upon the business, development and prosperity of the State, and also all suggestions as to the general railroad policy of the State, or any part thereof, or as to the condition or management of any railroad in this State, as to them may seem appropriate.

8. That the Commissioners and clerk be sworn to a faithful performance of their duties, and no person in the employ of any railroad corporation or owning stock therein hold either of said offices.

Your committee were requested to embody these views in a bill, but not being skilled in such craft declined to do so. However, at the special request of Mr. Tufts, a member of your committee prepared a bill, one section only of which was embodied in the act that was passed, and is now the law of the State.

It is due to the General Assembly, as well as to your committee, to state that quite a large proportion of the more able and independent members of the Assembly favored the proposition presented, as well as the bill. It is no injustice to that body, however, to state that very many of its members entertained the most crude notions as to the whole matter, and grappled the subject in that spirit of innocence with which an infant would play with a serpent. They saw that corn was sold in Iowa for fifteen cents and brought five times that amount in Massachusetts, and they were bound to make a change. Others agreed that the action proposed by your committee was the wiser and better course, but alleged that the people demanded a tariff bill; it had been promised on the stump, and they dare not face the Grangers at home

unless they supported it. Many were new to public life, looked on themselves as on the highway that led to the Presidency; mistook clamor for the popular will, and were solicitous "to stand right on the record."

Your committee would be glad, did the space reasonably allotted to this report admit of it, to discuss the merits of the several propositions presented. They were simply meant to correct abuses, to foster competition, and prevent extortion. They were not meant to apply simply to a period of low prices and general depression, such as then existed, but were to be adopted as great principles, and to control the transportation of the future. To base legislation upon the price of corn in different markets could have but the result we have already experienced, to-wit: to change a portion of the tax from one product or distance to another. This we have experienced; and to day the reason there is not a general outcry against the increased rates is because the laws of supply and demand give us fifty cents a bushel for corn and six cents per pound for hogs. These are paying prices, and the people are content, and the great question of cheap transportation is no nearer a solution than it was before.

But the most singular feature of this whole matter is in the fact that responsibility for the bill which was passed by the General Assembly is laid at the door of "the Grange," and it is so accepted by the railroads and the general public. It is to be hoped that through this report that error may be corrected, at least so far as the Patrons of Husbandry may have misunderstood the facts.

It has long been a popular error that legislation is the grand panacea for many ills. We are learning, however, that a more diversified industry, a better husbandry, and selling more than we buy are likely to bring relief to us as a people and as individuals. If we persist in demanding transportation for grain we need outlets by water. The Rock Island and Hennepin Canal, the Fox River improvement, the enlargement of the Erie canal, the use of the enlarged Canadian canals, these are all demanded if the West is to ship grain in bulk. We can pay railroad freights on cattle, hogs, horses, mules, meat in bulk, wool and manufactured articles generally, and by producing a better quality of all these than can be procured from the serfs of Eastern Europe or the wild hordes of other countries, we may still get returns that will satisfy intelligent labor. The exportation of beef on the hoof has begun. The Anchor line of ocean teamships has carried American cattle to Glasgow, as we are informed, at a large profit. But cattle that will bear transportation across the ocean are not those of Texas or the Plains, nor are they those of Iowa that are reared without care and but little better; but they are thrifty and well fattened bullocks of three and four years old that weigh a ton each, more or less, and might to-day be sold for such shipment at one hundred and fifty dollars per head, from our own scales.

These facts, and the demand for the best grades of butter and cheese, both at home and abroad, should teach us to adapt our husbandry as rapidly as possible to the world's demands, more especially when we can well pay on these products the present demands of those who transport them. Your committee believe that Iowa Patrons are rapidly attaining a knowledge of these facts, and learning that they

can more reasonably rely upon enlightened individual effort and proper co-operation to bring relief, and that these are working out for us a better day. We must learn, however, to labor and to wait with patience. The legislation we have on the subject of transportation will be productive of good results in its teachings, and will prepare the people for a better understanding of this important subject and prove that it must be taken in hand with the utmost wisdom and prudence if we would attain important results and hope for relief.

Your committee, while not approving of the law, have much pleasure in noting that most of the railways in the State promptly complied with its provisions. We have no sympathy with the idea that corporations are less amenable to the statutes than are private citizens; on the contrary, the more powerful the corporation so much more should be the pride of our executive officers in enforcing submission. Any failure in this direction will not have the countenance of our Order, and can only be mentioned to be condemned.

Finally, we commend the study of this interesting and difficult problem to the Patrons of Husbandry, in the hope that through them the people at large may come to better appreciate its magnitude, and be more ready in the future to follow the teachings of wisdom and experience, rather than to give ear to brawling demagogues who seek place and power by exciting prejudices and unnecessary antagonisms. Although not greatly encouraged by what has been done, we are not without hope in the future, and believe that the people will yet prove themselves to be the sovereigns, and that they will master the difficulties presented.

Respectfully submitted.

JNO. SCOTT, *Chairman.*

All of which is respectfully submitted.

Signed.

GEO. D. PERKINS,

S. H. KINNE,

Of Senate Railroad Committee.

DES MOINES, IOWA, Friday morning, Feb., 11, 1876.

APPENDIX.

The minority of your committee beg to add the following from the State Register of February 12th.

TARIFF FIGURES WON'T LIE.

A few days ago Senator Campbell stated in his paper, the *Newton Headlight*, that the railroad tariff law had saved millions of dollars to the Iowa farmers, and instanced the fact that his own county had saved large sums of money by sending its grain to Davenport instead of Chicago—that the local rates on grain from Newton to Davenport were largely reduced, and that the farmers of Newton had shipped their grain to Davenport, and thereby saved their proportion of “the millions” above mentioned.

We have taken some pains to test the strength of his statements, and find out how much his constituents had indulged in this *saving*

process. Whether the figures justify his rose-colored rhetoric, we submit to the Senator himself.

Before the law went into operation the rate on wheat from Newton to Chicago was \$58.00 per car load. Since that time it has been \$66.00 an increase of \$8.00. On other grain the rate was \$58.00, and it is now \$66.00, being an increase of \$8.00. Before the law the rate from Newton to Davenport was \$43.00 per car; since, \$29.20, a reduction of \$13.80. Having brought about this change of rates the Senator naturally concluded he had done a good thing for his constituents, and if any man attempts to deny it, "shoot him on the spot."

In the year 1875 there were shipped from Newton 1,400 car-loads of wheat and other grain, of which only 158 were shipped to Davenport. There was a saving on this shipment of \$2,180.40.

Seventy-two car-loads of the 1,400 went to St. Louis. The remainder—1170—went to Chicago and Milwaukee, on which there was a loss to the shipper of \$8.00 per car or \$9,360.00. Deducting the saving on the Davenport shipment from the loss on the Chicago and Milwaukee shipment, there is a net loss to his constituents of \$7,179.60 on grain alone.

On live stock the rate before the law took effect was \$58.00 per car. Since the law the rate has been \$63.00, showing an increase of \$5.00 per car. If Senator Campbell claims that Newton has shipped all its live stock to Davenport on the reduced rates of the tariff law, as he did as to grain, we will endeavor to ascertain what proportion of it was shipped to that metropolis.

Senator Dashiell moved to recommit the resolution to the committee.

The motion was lost.

Senator Merrell of Clinton, moved to print the report of both committees.

On this question the yeas and nays were demanded and the yeas were:

Senators Arnold, Carr, Gallup, Hartshorn, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Nichols, Teale, Wilson, Wonn, and Wright—17.

The nays were:

Senators Bailey, Bestow, Campbell, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Lovell, McCormack, Miller of Black Hawk, Newton, Pease, Shane, Thornburg, Willett, Williams, Wood, Woolson, and Young—24.

Absent or not voting:

Senators Clark, Cooley, Dows, Jessup, Kinne, Perkins, Rothert, Rumple, and Stoneman—9.

So the Senate refused to print the reports.

COMMITTEE REPORTS.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 31, a bill for an act to amend chapter 47, of the laws of the Fifteenth General Assembly, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 35, a bill for an act to repeal section 1288 of the Code of 1873 and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 109, a bill for an act to amend section 1289 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined S. F. No. 33, an act to legalize the incorporation of the town of Fayette.

S. F. No. 42½, an act relating to the recording of United States and State patents for lands.

And find the same correctly enrolled.

Also, the following :

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the governor for his approval H. F. No. 181, an act to amend section 303, chapter 2, title 4 of the Code in relation to the powers of boards of supervisors, and to enlarge such powers.

H. C. CARR, *Chairman.*

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred joint resolution relative to State revenue stolen from Bremer county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and after so amended it be adopted: "Provided that if all, or any part of said amount of money shall at any time be recovered, the same shall be accounted for and paid into the State treasury."

A. HEBARD, *Chairman.*

Ordered passed on file.

Senator Newton, from the Committee on Elections, submitted the following report:

MR. PRESIDENT:—Your Committee on Elections, to whom was refer-

red S. F. No. 174, A bill for an act to call special elections in certain townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. N. NEWTON, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiaries, to whom was referred substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be printed and re-committed to the Committee on Penitentiaries.

Ordered passed on file, the bill ordered printed and referred.

Also, the following:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred S. F. No. 139, A bill for an act providing for the improvement of the penitentiary at Fort Madison, and to provide for the transportation of discharged convicts, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

D. ARNOLD, *Chairman*.

Ordered passed on file, and bill so referred.

Senator Perkins, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:—Your Committee on Federal Relations, to whom was referred preamble and joint resolution, requesting our members of Congress to procure the passage of an act modifying the act of Congress granting lands to Iowa for an agricultural college, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. D. PERKINS, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution proposing to amend section 11 of article 1 of the constitution of the State of Iowa, in relation to grand juries, beg leave to report that they have had the same under consideration, and the majority of said committee have instructed me to report the same back to the Senate without recommendation.

HENRY L. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 112, A bill for an act to repeal section 3791, chapter 2, title 23 of the Code of 1873, relating to

compensation of county supervisors, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by substituting 5 instead of 3 in the sixth line, and so amended do pass.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Miller of Black Hawk, from the Committee on Military, submitted the following report:

MR. PRESIDENT:—Your Committee on Military, to whom was referred the petition of citizens against compulsory military education in State institutions, beg leave to report that they have had the same under consideration, and have instructed me to report that the General Assembly has no power to prevent military instruction at the Agricultural College; and that as to the University, it is inexpedient to "interpose legislative authority" in the manner prayed for in the petition.

E. G. MILLER, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 22, A bill for an act to amend section 500, chapter 10 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred H. F. No. 320, A bill for an act making appropriations to pay the expenses of Inauguration ceremonies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SHANE, *Chairman.*

Ordered passed on file.

Senator Perkins presented report of the joint committee appointed to visit the State University, which was placed on file and ordered printed.

Senator Shane moved to take up H. F. No. 320, A bill for an act making appropriations to pay expenses of inauguration ceremonies.

The motion prevailed.

On motion of Senator Shane the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartsborn, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Clark, Cooley, Dows, Hebard, Jessup, Rothert, Rumble, and Stoneman—8.

So the bill passed and the title was agreed to.

On motion of Senator Teale, the preamble and joint resolution requesting our members of Congress to procure the passage of an act modifying the act of Congress granting lands to Iowa for an agricultural college, was made special order for Thursday next, February 17, at 2½ o'clock.

Senator Woolson was excused until Wednesday next.

On motion of Senator Kinne, the Senate at 11.50 A. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 14, 1876. }

Senate met pursuant to adjournment and was called to order by President Newbold.

Prayer by the Rev. C. A. Gelwicks.

Saturday's journal read and approved.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Carr: A petition from the members of the Springdale Fire Insurance Company in relation to annual reports made to the Auditor of State.

Referred to Committee on Insurance.

By Senator Bestow: A petition of four hundred citizens of Lucas county, asking that the present liquor law be not abolished.

Referred to Committee on Suppression of Intemperance.

By Senator Miller of Black Hawk: A petition from 126 citizens of Iowa asking for an appropriation to enable the militia of this State to have a creditable representation at the Centennial Exposition at Philadelphia.

Referred to Committee on Military.

By Senator Teale: A petition from the citizens of Decatur county, asking that the present liquor law be not repealed.

Referred to Committee on Suppression of Intemperance.

By Senator Young: A petition from the four eastern townships of the county of Pottawattamie in relation to a division of the county.

Referred to Committee on County and Township Organizations.

PRESENTATION OF BILLS.

By Senator Kinne: S. F. No. 197, A bill for an act to repeal section 798 of the Code of Iowa.

Read first and second time, and referred to Committee on Horticulture and Forestry.

By Senator Shane: S. F. No. 198, A bill for an act to amend section 4026 and 4028 of chapter 9, of title 24, of the Code, relating to keeping gambling houses and gambling and betting.

Read first and second time, ordered printed and referred to Committee on Judiciary.

By Senator Pease: S. F. No. 199, A bill for an act to amend section 796, title 6, chapter 1, of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

By Senator Carr: S. F. No. 200, A bill for an act to repeal section 1160 of the Code, and to enact a substitute therefor.

Read first and second time, ordered printed and referred to Committee on Insurance.

RESOLUTIONS.

Senator McCormack offered the following resolution, which was adopted:

Resolved, That the Committee on Agriculture be requested to inquire into the expediency of the passage of an act for the protection of the importers of blooded horses into Iowa, and to report by bill or otherwise.

BILLS ON SECOND READING.

S. F. No. 138, A bill for an act to require counties to refund taxes voted and collected in aid of the construction of railroads, to cancel certain unpaid taxes and to extend certain taxes, which was referred to Committee on Ways and Means, who returned the same back with the recommendation that it do pass, was taken up and considered.

Senator Larrabee moved to amend by inserting in sixteenth line after word "treasurers" the words "according to law;" also to strike out the words "*provided also*," in section 2; also the word "further" in ninth line, section 2, which motion prevailed.

Senator Rothert moved that it be made a special order for February 16, 10:30 A. M., which was agreed to.

Senator Rothert introduced a report from the visiting committee to the Deaf and Dumb Institute at Council Bluffs, which was ordered printed and passed on file.

Senator Miller of Black Hawk, submitted a report from the visiting committee to examine the Reform School at Eldora. Ordered printed and passed on file.

Senator Graham was excused till to-morrow morning.

Senators Cooley and Campbell were excused.

H. F. No. 24, A bill for an act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code, was taken up, considered and passed on file.

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a notary public in and for Adair county, with recommendation of Judiciary Committee that it do pass, was taken up, considered, and on motion of Senator Young the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Conaway, Dashiell, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rotherth, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—40.

The nays were none.

Absent or not voting:

Senators Campbell, Clark, Cooley, Dows, Gallup, Graham, Hitchcock, Mitchell, Rumble, and Woolson—10.

So the bill passed and the title was agreed to.

S. F. No. 124, A bill for an act to provide for the enforcement of warrants and orders of corporations in certain cases, with the recommendation of the committee that it be indefinitely postponed, was taken up, considered, and on motion of Senator Willett, was passed on file.

S. F. No. 161, A bill for an act to amend section 3809 of the Code, with the recommendation that it be amended, was taken up, considered and recommendation of committee adopted.

Senator Dashiell moved to amend by inserting before the word "shall" in seventh line, the word, "he," which motion prevailed.

Senator Shane moved to amend by striking out "publication clause," which motion prevailed.

On motion, of Senator Arnold, the eleventh rule was suspended, the bill considered, engrossed and read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Conaway, Dashiell, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Pease, Perkins, Rotherth, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—39.

The nays were none.

Absent or not voting:

Senators Campbell, Clark, Cooley, Dows, Gallup, Graham, Hitchcock, Mitchell, Murphy, Rumble, and Woolson—11.

So the bill passed and the title was agreed to.

S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory under section, 426, 427, 428, and 429, of the Code, with recommendation of committee that it do pass, was taken up, considered, and on motion of Senator

McCoid, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Carr, Conaway, Dashiell, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Pease, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—39.

The nays were none.

Absent or not voting :

Senators Campbell, Clark, Cooley, Dows, Gallup, Graham, Hitchcock, Mitchell, Murphy, Rumble, and Woolson—11.

So the bill passed and the title was agreed to.

S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa, of 1873, and to enact a substitute therefor, and to restore capital punishment with accompanying substitute of committee, was taken up, and made a special order for Thursday, February 17th, at 10:30 o'clock A. M.

S. F. No. 31, A bill for an act to amend chapter 47, of the laws of the Fifteenth General Assembly, with recommendation of committee that it do not pass, was taken up and considered.

Senator Dashiell moved to amend by striking out the word "pass" in the second line of section 2, and insert the word "cross," which motion prevailed.

Passed on file.

S. F. No. 35, A bill for an act to repeal section 1288 of the Code of 1873, and enact in lieu thereof, with the report of the committee recommending that it do not pass, was taken up and considered.

Senator Miller of Black Hawk, moved to recommit the bill.

The motion was disagreed to.

Senator Willett moved that the bill be indefinitely postponed.

The motion prevailed.

S. F. No. 109, A bill for an act to amend section 1289 of the Code of 1873, with the report of the committee recommending that it do not pass, was taken up, and on motion of Senator Kinne was indefinitely postponed.

S. F. No. 174, A bill for an act to call special elections in certain townships, with the report of the committee recommending that it do pass, was taken up, and on motion of Senator Merrell of Clinton, committed to the Committee on Railroads.

S. F. No. 112, A bill for an act to repeal section 3791, chapter 2, title 13 of Code of 1873, relating to compensation of county supervisors, and to enact a substitute therefor, was taken up, considered and passed on file.

S. F. No. 147, A bill for an act in relation to hedges on division lines, between adjoining land owners, was taken up with report of committee recommending amendments, and when amended do pass.

The amendment reported by the committee was adopted.

Senator Arnold moved to strike out the words in first section, "or until the hedge shall be sufficiently grown so as to make a good and sufficient fence."

The motion prevailed.

Senator Arnold moved to strike out of section one the word "three," and insert the word "five," which was agreed to.

Senator Williams submitted the following as a substitute for section two of the bill:

"When any person builds a hedge on the entire line between his own and uninclosed lands, when said lands are enclosed the owner thereof shall pay for one half of said hedge, the value to be ascertained by the fence viewers, the maker of said hedge to elect his own half."

Senator Nichols offered the following amendment to the second section to be inserted after the word "viewers:"

"And the manner of proceeding in this report shall conform to the provisions of the law regulating the assessment of value of partition fences, and the value of said hedges."

Senator Dashiell moved to strike out of first section the words, "at least," and insert the words, "not more than."

The motion prevailed.

Senator Bestow moved to amend by adding, "this law shall not apply to town lots."

Senator Nichols moved to recommit the bill to the committee.

The motion prevailed.

Senator McCoid moved to reconsider the vote by which S. F. No. 35, A bill for an act to repeal section 1288 of the Code of 1873, title 10, chapter 5, and to enact in lieu thereof, to-wit: was indefinitely postponed.

The motion prevailed.

On motion of Senator McCoid, the bill was referred to the Committee on Agriculture.

Joint resolution, relative to State revenue stolen from Bremer county, Iowa, with the report of the committee recommending an amendment, was taken up and considered.

The amendment recommended by the committee was adopted.

On motion of Senator Bailey, the eleventh rule was suspended, and the joint resolution read a third time.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Wright—40.

The nays were none.

Absent or not voting:

Senators Campbell, Clark, Cooley, Dows, Gallup, Hitchcock, Mitchell, Rumble, Woolson, and Young—10.

So the joint resolution passed and the title was agreed to.

The vote by which S. F. No. 63, A bill for an act to amend chapter 5 of the Code of 1873, and add thereto, was made a special order for 2½ o'clock this afternoon, was reconsidered and the bill taken up and considered.

Senator Miller of Black Hawk, moved to amend by inserting section 4.

Senator McCoid moved to amend the amendment by adding, "and

such criminals so returned shall be confined in the jail of such county, until the next term of the District Court of said county, when the court shall proceed to pronounce judgment as if conviction had been had at such term."

Senator Bestow moved to reconsider the bill.

The motion was agreed to.

Senator Willett moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning.

The motion prevailed.

On motion of Senator Jessup, at 12:30 P. M., the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 15, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. A. L. Frisbie.

Journal of yesterday read and approved.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Perkins: A petition from citizens of O'Brien county, praying that Primghar, O'Brien county, be made a point on the McGregor & Missouri River Railroad Company, or any company which secures the land grant.

Referred to Committee on Railroads.

Also, a petition from same county, asking for a law to allow aid to be voted to railroads.

Referred to Committee on Railroads.

By Senator Willett: A petition from citizens of Winnesheik county, asking that the action of the Fifteenth General Assembly, of submitting to the people at next general election, the proposition to strike out the word "male" from the State Constitution be ratified.

Passed on file.

By Senator Murphy: Five petitions from citizens of Scott county, asking that church property be taxed.

Passed on file.

Also, two petitions from citizens of same county, asking for a change in the Mechanic's Lien law.

Referred to Committee on Ways and Means.

By Senator Wonn: A petition of 358 citizens of Davis county, relating to striking the word "male" out of the State Constitution.

Passed on file.

By Senator Mitchell: A petition from citizens of Polk county, asking that the present railroad law regulating freights, be repealed.

Referred to Committee on Railroads.

By Senator Harmon: A petition from citizens of Buchanan county, asking for a partial repeal of section 1160, chapter 4, of the Code of 1873.

Referred to Committee on Insurance.

By Senator Wright: A remonstrance of E. R. Hinckley and 50 other citizens of eastern tier of townships in Pottawattamie county, against any legislation for the annexation of said territory to Cass or Montgomery counties.

Referred to Committee on County and Township Organizations.

By Senator Cooley: A petition from 19 members and ex-members of the city council of Dubuque, in relation to the appointment of city marshal by city councils.

Referred to Committee on Municipal Corporations.

By Senator Harmon: A petition from David Armstrong, a contractor for stone for the State capitol, asking for relief.

Referred to Committee on Claims.

By Senator Hitchcock: A petition from citizens of Ossage, asking that the McGregor Western Railroad land grant be given to Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Lovell: S. F. No. 201, A bill for an act to repeal section 915 of the code of 1873, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Banks.

By Senator McCoid: S. F. No. 202, A bill for an act to amend section 589, chapter 9, title 4 of the Code in relation to townships and officers.

Read first and second time, and referred to Committee on County and Township Organizations.

By Senator Stoneman: S. F. No. 203, A bill for an act to define the punishment for malicious mischief and trespass on property.

Read first and second time, and referred to Committee on Judiciary.

By Senator Merrell of Clinton: S. F. No. 204, A bill for an act to amend section 4465, chapter 29, title 25, Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

By Senator Merrill of Wapello: S. F. No. 205, A bill for an act to amend section 1467 of the Code of 1873, to further assist in the finding of strays.

Read first and second time, and referred to Committee on Agriculture.

By Senator Dashiell: S. F. No. 206, A bill for an act to amend section 1793 of the Code.

Read first and second time, and referred to Committee on Schools.

By Senator Hebard: S. F. No. 207, A bill for an act changing the boundaries of Montgomery and Pottawattamie counties.

Read first and second time, and referred to Committee on County and Township Organizations.

By Senator Stoneman: S. F. No 208, A bill for an act to define the duty of County Treasurers.

Read first and second time, and referred to Committee on Judiciary.

By Senator Nichols: S. F. No. 209, A bill for an act amendatory

of section 2093, title 14, chapter 4 of the Code, in relation to demand and notice of non-payment of promissory notes.

Read first and second time, and referred to Committee on Judiciary.

SPECIAL ORDER.

The President announced that the time for the special order had arrived, which was the consideration of S. F. No. 39, A bill for an act to regulate the omission of the property of religious societies from assessment and taxation, and amendatory of section 797, chapter 1, title 6, of the Code, in relation to revenue.

The bill, with the report of the committee recommending amendments, was taken up and considered.

Senator Murphy moved to amend first amendment reported by committee, by striking out the word, "or" and insert after the word, "cemetery" the words, "charitable or benevolent" in the seventh line.

Pending the discussion of the proposed amendment, the Senate, on motion of Senator Shane, adjourned at 12 o'clock M.

AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

The question being on the amendment proposed by Senator Murphy.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT :—I am directed to inform your honorable body that the House has passed the following bills and resolutions, in which the concurrence of the Senate is asked.

S. F. No. 353, A bill for an act to legalize the official acts of W. S. H. Welton, a Justice of the Peace in and for Washington county, Iowa.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11, of the Code, relating to the care of poor in families.

H. F. No. 57, A bill for an act to repeal section 3777, title 23, chapter 2, of the Code, relating to the payment of short hand reporters, and to enact a substitute therefor.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12, of the Code, in relation to children attending school in adjoining districts.

H. F. No. 355, A bill for an act empowering cities of the first class to extend their corporate limits.

H. F. No. 128, A bill for an act to amend certain sections of the Code, relative to the report of treasurers of school districts.

H. F. No. 186, A bill for an act to regulate circuses and other public shows.

H. F. No. 14, A bill for an act to amend section 660, of the Code, in relation to the electors of President and Vice-President.

H. F. No. 285, A bill for an act for the relief of Mrs. Baldwin.

H. F. No. 61, A bill for an act in relation to evidence in actions upon account.

H. F. No. 31, A bill for an act to amend section 518, of the Code, in relation to the duties of Mayor of cities.

Also, that the House has passed without amendments, joint resolution in relation to proposed canal from some point between the mouth of Rock river, and Clinton, Iowa, on the Mississippi river, and Illinois river at Hennepin, in Illinois.

And S. F. No. 55, A bill for an act to amend chapter 7, of title 14, of the Code, in relation to assignments for the benefit of creditors.

Also, that the House has concurred in Senate joint resolution, in relation to a modification of the homestead laws.

JAS. W. LOGAN, *Chief Clerk.*

The amendment proposed by Senator Murphy was adopted.

On the question of adopting the first amendment proposed by the Committee, the yeas and nays were demanded, and the yeas were :

Senators Bailey, Campbell, Carr, Cooley, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Mitchell, Murphy, Newton, Nichols, Pease, Willett, Williams, Wilson, Wonn, Wood, and Young—30.

The nays were :

Senators Arnold, Bestow, Conaway, Dashiell, Dwelle, McCoid, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Perkins, Rothert, Shane, Stoneman, Teale, Thornburg, and Wright—16.

Absent or not voting:

Senators Clark, Dows, Rumble and Woolson—4.

The amendment was adopted.

The other amendments recommended by the committee were adopted.

Senator Murphy moved to amend section 4 by adding to it the words "or some person or persons having control thereof," and to amend section 5 by adding after the word "society" the same words.

The motion prevailed.

Senator Shane offered a substitute for the bill.

Senator Cooley moved the previous question, which was seconded, and the main question ordered put.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were:

Senators Dashiell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Perkins, Rothert, Shane, Teale, Wood, and Wright—14.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, Merrill

of Wapello, Newton, Nichols, Pease, Thornburg, Willett, Williams, Wilson, Wonn, and Young—31.

Absent or not voting:

Senators Clark, Dows, Rumple, Stoneman and Woolson—5.

So the Senate refused to adopt the substitute

On the question of engrossing the bill, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Cooley, Dashiell, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Mitchell, Nichols, Pease, Rothert, Teale, Williams, Wood, and Wright—23.

The nays were:

Senators Arnold, Campbell, Carr, Conaway, Dwelle, Graham, Hitchcock, Jessup, Kinne, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Perkins, Shane, Thornburg, Willett, Wilson, Wonn, and Young—22.

Absent or not voting:

Senators Clark, Dows, Rumple, Stoneman, and Woolson—5.

So the bill was ordered engrossed.

On motion of Senator Rothert, S. F. No. 104, a bill for a act for the support and relief of the Iowa State Agricultural Society, which had been made a special order for three o'clock this afternoon, was taken up and considered.

Senator Rothert moved to amend by striking out of section one, the word "two" in the first line and insert "one."

The motion prevailed.

Senator Rothert moved to suspend the eleventh rule and read the bill a third time now.

Senator Cooley moved to strike out section two.

The motion to strike out was lost.

The motion to suspend the eleventh rule was then agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchel, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Shane, Thornburg, Williams, Wonn, Wood, Wright and Young—33.

The nays were:

Senators Campbell, Conaway, Cooley, Dashiell, Kinne, McCormack, Maginnis, Merrell of Clinton, Teale, Willett, and Wilson—11.

Absent or not voting:

Senators Carr, Clark, Dows, Rumple, Stoneman, and Woolson—6.

So the bill having failed to receive the requisite two-thirds majority, was lost.

HOUSE MESSAGES.

H. F. No. 31, A bill for an act to amend section 518 of the Code, in relation to the duties of mayor of cities.

Read first and second time, and referred to Committee on Municipal Corporations.

Substitute for H. F. No. 161, A bill for an act in relation to evidence in action upon accounts.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 285, A bill for an act for the relief of Mrs. Baldwin.

Read first and second time, and referred to Committee on Claims.

H. F. No. 14, A bill for an act to amend section 680 of the Code, in relation to the election of Electors of President and Vice-President.

Read first and second time, and referred to Committee on Federal Relations.

H. F. No. 186, A bill for an act to regulate circuses and other public shows.

Read first and second time, and referred to Committee on Municipal Corporations.

H. F. No. 128, A bill for an act to amend certain sections of the Code.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 355, A bill for an act empowering cities of the first-class to extend their corporate limits.

Read first and second time, and referred to Committee on Municipal Corporations.

H. F. No. 57, A bill for an act to repeal section 3777, chapter 2, title 23 of the Code, relating to the payment of short-hand reporters and to enact a substitute therefor.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 97, A bill for an act to amend section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining district and enacting a substitute therefor.

Read first and second time, and referred to Committee on Schools.

H. F. No. 353, A bill for an act to legalize the official acts of W. G. H. Welton, a Justice of the Peace in and for Washington county, Iowa.

Read first and second time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 11, A bill for an act defining the rights of parties in cases of injuries arising from negligence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that in their opinion the proposed change in the law is not advisable. They therefore recommend its indefinite postponement.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 48, A bill for an act to amend section 2742 of chapter 8, of title 17 of the Code, regulating the taking of testimony in equity actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute with the recommendation that it be adopted, and when adopted that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 72, A bill for an act to repeal section 4556 of the Code, and to enact a substitute therefor and render competent as witnesses in their own behalf defendants in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Merrell, of Clinton, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred "joint resolution proposing certain amendments to the State Constitution relative to public funds," beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be adopted.

N. A. MERRELL,
for a Majority of said Committee.

Ordered passed on file.

Senator Rothert, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 157, a bill for an act to amend sections 1727, 1745, and 1781, chapter 9, title 12 of the Code, by changing the legal age for admission to the public schools from five to six years, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that whereas the provisions of this bill are in conflict with the constitution of the State of Iowa, it do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 156, a bill for an act to amend section 1766, chapter 9, title 12 of the Code, by placing natural philosophy and elementary drawing on the list of studies on which persons applying for certificates to teach, shall be required to pass an examination, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 84, a bill for an act to amend section 1766, chapter 9, title 12 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that whereas the provisions of this bill are embodied in S. F. No. 156, which bill having received a favorable consideration in the committee, this bill, S. F. No. 84, be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 196, a bill for an act in relation to text books in common schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Merrill of Wapello, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT:—Your Committee on Commerce, to whom was referred S. F. No. 101, A bill for an act to amend section 3901 of the Code, beg leave to report that they have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. MERRILL, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution proposing certain amendments to the State Constitution relative to public funds, beg leave to report that they have had the same under consideration, and the minority of said committee report the same back to the Senate with the recommendation that it be amended by striking out the words "nor shall any sectarianism be taught therein," and that so amended it be adopted.

HENRY L. DASHIELL,
ELIAS JESSUP,
W. H. GALLUP.

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 145, A bill for an act to repeal section 985, title 7, chapter 2, in relation to powers and duties of road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 133, A bill for an act to amend section 3808 of the Code, in relation to the payment of the fees of fence viewers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as a bill of a similar nature has been passed by the House, this bill pass on file.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of Township Trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended in the 11th line after the word "viewers"—"or in locating any ditch or drain or in any other case where provision is not made for these payments out of the county treasury." Also in 12th line after the word "shall," as follows: "be 2 dollars per day each," and so amended do pass.

JOHN CONAWAY, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Institution for Deaf and Dumb submitted the following report:

MR. PRESIDENT:—Your Committee on Institution for Deaf and Dumb, to whom was referred S. F. No. 108, A bill for an act to provide for the erection of the west lateral wing and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations for its consideration, and further, that your committee was of the unanimous opinion that the bill *do pass*.

GEO. F. WRIGHT, *Chairman*.

Ordered passed on file.

Senator Teale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 35, A bill for an act to repeal section 1288 of the Code of 1873, title 10, chapter 5, and to enact in lieu thereof, to-wit: beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred H. F. No. 58, A bill for an act to repeal section 989, chapter 2 of title 17 of the Code, and to enact a substitute therefor, in relation to the powers and duties of road supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

FRED TEALE, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Reform Schools, to whom was referred S. F. No. 176, A bill for an act making appropriations for the Iowa Reform Schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended

as follows: Strike from section 1 of said bill item first and insert the following in lieu thereof: "For the erection of the centre and one wing of the main building, the sum of forty thousand dollars, not more than thirty thousand dollars of said sum to be drawn and expended in the year 1876," and that when so amended it do pass. And they further recommend that it be referred to the Committee on Appropriations.

M. W. HARMON, *Chairman*.

Ordered passed on file.

Senator Merrell of Clinton moved to reconsider the vote by which S. F. No. 104 was lost.

The motion prevailed.

Senator Merrell of Clinton moved to reconsider the vote by which the 11th rule was suspended and the bill read a third time.

The motion was agreed to.

At 5:30 P. M. the Senate, on motion of Senator Shane, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 16, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Galwick.

On motion of Senator Shane, the reading of yesterday's journal was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 33, A bill for an act to legalize the Incorporation of the town of Fayette.

S. F. No. 42½, A bill for an act relating to the recording of United States and State patents for lands.

J. J. FLYNN, *Second Assistant Clerk*.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Young: A petition from citizens of Cass county, asking for the repeal or modification of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Perkins: A petition from citizens of Sioux county, asking that the so-called McGregor Western Railroad Land Grant, be given to the Iowa Dakota & Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Cooley: A petition from citizens of Dubuque, asking for the continued enforcement of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Wright: A petition from citizens of Pottawattamie county, asking for the repeal and modification, of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Mitchell: A like petition from citizens of Polk county, which was referred to same committee.

By Senator Shane: A like petition from citizens of Vinton, Blairtown, Belle Plaine, and Luzerne, Benton county, which was referred to same committee.

By Senator Kinie: A petition from citizens of Allamakee county asking for a change in mechanics' lien law.

Referred to Committee on Ways and Means.

Also, a petition from citizens of Winneshiek and Allamakee counties, asking for a partial repeal of section 3173 of the Code.

Referred to Committee on Judiciary.

By Senator Mitchell: A petition from 438 citizens of Polk county to repeal part of section 1160 of chapter 4 of the Code of 1873.

Referred to Committee on Insurance.

By Senator Teale: A petition from citizens of Taylor county asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

Also, a petition from citizens of same county, asking for a law prohibiting railroad trains from running on Sabbath day.

Referred to Committee on Railroads.

By Senator Hitchcock: A remonstrance from the Mitchell county bar, against a change in the law fixing the places for holding the sessions of the Supreme Court.

Referred to Committee on Judiciary.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined H. F. No. 317 an act to legalize the official acts of Geo. B. Wilson, a notary public in and for Adair county.

H. F. No. 320, an act making appropriation to pay expenses of inauguration.

Also, joint resolution in relation to proposed canal from some place between the mouth of Rock river and Clinton, Iowa, on the Mississippi river, and Illinois river at Hennepin, Ills.

Joint resolution in relation to a modification of the homestead laws, and find the same correctly enrolled.

Also, the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval S. F. No. 55, an act to amend chapter 7 of title 14 of the Code in relation to assignments for the benefit of creditors.

H. C. CARR, *Chairman*.

REPORT OF STANLING COMMITTEES.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments,

to whom was referred joint resolution proposing to amend section 13, of article 5, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute therefor be adopted. •

Ordered passed on file.

Also, the following :

MR. PRESIDENT :—Your Committee on Constitutional Amendments, to whom was referred the resolution directing said committee to inquire and report whether there is any law providing for the publication of proposed amendments to the Constitution, as required by article 10, of section 1 thereof, beg leave to report that they have had the same under consideration and have instructed me to report that the Fifteenth General Assembly proposed two amendments to the Constitution, both of which are published on page 85, of the private laws of said General Assembly, and that the only authority for the publication of said amendments, is that contained in each resolution respectively.

HENRY L. DASHIELL, *Chairman.*

Ordered passed on file.

Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT :—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 119, A bill for an act to amend section 1539 of the Code, relative to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT :—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 69, A bill for an act to amend section 1543 of the Code, relating to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT :—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 130, a bill for an Act to amend section 1540 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT :—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 123, A bill for an act to amend section 1550 of chapter 8 of title 4 of the Code, in relation to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to

report the same back to the Senate with the recommendation that it be indefinitely postponed.

ELIAS JESSUP, *Chairman.*

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 193, A bill for an act requiring county surveyors to record all surveys by them officially made, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. G. HERSEY, *Chairman.*

Ordered passed on file.

Senator Bestow, from the Committee on Orphans' Homes submitted the following report:

MR. PRESIDENT:—Your Committee on Orphans' Homes, to whom was referred S. F. No. 20, A bill for an act to enlarge the powers of Trustees of the Soldiers' Orphan's Homes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of second line in Sec. 8, "give in adoption or to bind out for any period or to," insert the following as Sec. 9:

Sec. 9. In cases of neglect or refusal of the Board of Supervisors of any county in the State, to make the necessary levy for the support of children sent from said county, then and in that case, the State Board of Equalization is hereby authorized and empowered to make the levy for such delinquent county or counties.

S. L. BESTOW, *Chairman.*

Ordered passed on file.

Senator Woolson was excused.

BILLS ON THIRD READING.

S. F. No. 39, a bill for an act to regulate the exemption of the property of religious societies from taxation, and amendatory of section 797, chapter 1, title 14 of the Code in relation to revenue was taken up and read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Clinton, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Shane, Teale, Willet, Williams, Wilson, Wood, Wright, and Young—37.

The nays were:

Senators Campbell, Conaway, Jessup, Kinne, Merrill of Wapello, Miller of Appanoose, Perkins, Stoneman, Thornburg, and Wonn.—10.
Absent or not voting:

Senators Dows, Rumble, and Woolson.—3.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, which was S. F. No. 138, A bill for an act requiring counties to refund taxes voted and collected in aid of the construction of railroads, to cancel certain unpaid taxes, and to extend certain taxes, the bill was taken up and considered.

Senator Willett moved to strike out section two.

Senator Perkins moved to recommit the bill to the Committee on Railroads.

The motion to recommit was agreed to.

The hour having arrived for the consideration of substitutes for S. F. Nos. 34, 53½, and 95, A bill for an act to extend the time named in "an act making a grant of land to the McGregor & Sioux City Railway Company; and the forty-third parallel Railway Company," approved March 31st, 1868, reported by the Committee on Railroads, it was taken up an considered.

Senator Campbell moved to amend section 1, by inserting in the beginning of the thirteenth line, "to town of Primghar and thence." Adopted.

Senator Hartshorn moved to amend section 1, by inserting in the eleventh line after the word "county" the words, "and locate and establish their depot upon the depot grounds of said company, as shown by the town plat of Emmetsburg;" which was agreed to.

Senator Perkins moved to amend section 1, by inserting in thirteenth line, after the words "O'Brien county," the words "at Sheldon;" adopted.

Senator Hartshorn moved to amend section 1, by inserting in eleventh line, before the word "on" the words "thence to Spencer in Clay county, and locate and establish their depot upon section 7, in township 96, range 36, provided that said section is now owned by said railroad."

Senator Nichols demanded a division of the question.

On the first proposition "thence to Spencer in Clay county," the Senate agreed to it.

The second proposition was then adopted.

Senator Larrabee offered the following to the bill, as section 4 :

Sec. 4. Should the McGregor and Missouri River Railway Company fail to build and construct their railroad to Spencer, in Clay county on or before the 1st of January, A. D., 1877, then all lands belonging and appertaining to said grant, undisposed of at the date of the passage of this act, shall revert to the State of Iowa; and this provision shall be interpreted to mean all lands under said grant not patented to the said company at the date of the passage of this act, by reason of railroad already constructed, and any other railroad company first filing

with the auditor of State a good and sufficient bond for the amount named in section two of this act, for a faithful performance of the provisions of this act, may be by advice of the Governor, and consent of the Executive Council, substituted to all the rights to the same extent as if the lands were conferred upon said company by this act, and said company shall have the same time for building the road as provided by this act.

On motion of Senator Cooley, the Senate at 12.15 P. M., adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 17, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

The reading of the journal of yesterday, was, on motion of Senator Merrell of Clinton, dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills and resolutions in which the concurrence of the Senate is asked:

H. F. No. 30, A bill for an act to amend section 1160 of the Code.

H. F. No. 133, A bill for an act empowering Township Clerks to administer oath.

Joint Resolution relating to the currency of the country.

Substitute for H. F. Nos. 49, 50, 62, 83, and 84, relating to minutes of testimony before grand juries.

JAS. W. LOGAN, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Wright: A petition from W. F. Hendricks, a member of Bluff City Light Artillery, at Council Bluffs, asking for relief.

Referred to Committee on Military.

By Senator Kinne: A petition from citizens of Allamakee county, asking for the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Nichols: A petition from citizens of Dallas county, asking for a repeal or modification of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Rumdle: A petition from citizens of Marengo, asking that the present railroad tariff law be not repealed.

Referred to Committee on Railroads.

By Senator Wood: A petition from Muscatine Manufacturing Company, Patrons of Husbandry, asking for the continued enactment of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Merrell of Clinton: A petition from citizens of Clinton county, asking for the amendment of the State Constitution relative to striking out the word "male."

Referred to Committee on Constitutional Amendments.

Also, a petition from Citizens' Association of Lyons against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Murphy: Five petitions from citizens of Scott county, asking for the partial repeal of section 1160, chapter 4, of the Code.

Referred to Committee on Insurance.

By Senator Perkins: A petition from O'Brien county bar, asking for the creation of a new judicial district.

Referred to Committee on Judicial Districts.

By Senator Merrill of Wapello: A petition from citizens of Wapello county in opposition to the repeal of the present liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator McCoid: A petition from John A. Ireland and thirteen other citizens of Jefferson county asking for a tax on dogs.

Referred to Committee on Agriculture.

Also, a petition from citizens of same county asking for a constitutional amendment to prevent the use of public funds for parochial school and religious purposes.

Referred to Committee on Schools.

Senator McCoid also presented a report of the joint committee appointed to visit the additional penitentiary at Anamosa, which was placed on file and ordered printed.

By Senator Rumble: A petition from the county officers and bar of Iowa county asking that the law in relation to short hand reporters be unchanged.

Referred to Committee on Judiciary.

By Senator Dwelle: Petitions from citizens of Humboldt county asking that the so-called McGregor and Missouri River Railroad land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Woolson: A petition from citizens of Henry county, asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Jessup: Three petitions asking, for the continued enactment of the law abolishing the death penalty.

Passed on file.

By Senator Hartshorn: A protest from citizens along the line of the so-called McGregor and Missouri River Railway against the extension of the time asked for.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By leave Senator McCoid introduced S. F. No. 210, a bill for an act to repeal portions of chapter 68, laws of the Fifteenth General Assembly, entitled an act to establish reasonable maximums rates of charges

for the transportation of freight and passengers on the different railroads of this State, and amendatory of the same.

Read first and second time, ordered printed and referred to Committee on Railroads.

On motion of Senator Perkins, the special order, S. F. No. 5, A bill for an act to repeal section 3849 of the Code of 1873, and to enact a substitute therefor, and to restore capital punishment, was made special order for Friday, February 25, at 10½ A. M.

REPORT OF COMMITTEES.

Senator Arnold, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly and for other purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. ARNOLD, *Chairman.*

Ordered passed on file.

Senator Conaway, from Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code, relating to the care of *poor* in families, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 202, A bill for an act to amend section 389, chapter 9, title 4 of the Code, in relation to Township Officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute with the recommendation that the substitute be adopted and do pass.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 128, A bill for an act to amend certain sections of the

Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Schools.

Ordered passed on file, and the bill so referred.

Also, the following.

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 199, A bill for an act to amend section 796, chapter 1, title 6, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

G. R. WILLETT, *Chairman.*

Ordered passed on file, and the bill so referred.

Senator Perkins, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:—Your Committee on Federal Relations, to whom was referred H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of electors of President and Vice-President, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. D. PERKINS, *Chairman.*

Ordered passed on file.

Senator Rotherth, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 206, A bill for an act to amend section 1793 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Senator Mitchell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 285, a bill for an Act for the relief of Mrs. Baldwin, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOS. MITCHELL, *for the Committee.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 170, a bill for an act to provide for collecting delinquent personal taxes in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom

was referred H. F. No. 68, a bill for an act to amend section 1428 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 113, a bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts with the several county officers, and providing means to pay the expenses thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 127, a bill for an act to authorize sale of lands and town lots for less than full amount of taxes without costs in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 169, a bill for an act to require the clerks of the several district and circuit courts to make annual reports to the Auditor of State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 32, a bill for an act to legalize the levy of certain taxes and to provide for the collection thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Dwelle, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT:—Your Committee on Horticulture and Forestry, to whom was referred S. F. No. 71 for an act to supply shade trees on the public highways of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

L. DWELLE, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his ap-

proval S. F. No. 424, an act relating to the recording of United States and State patents for lands.

S. F. No. 33, an act to legalize the incorporation of the town of Fayette.

H. C. CARR, *Chairman.*

Senator Conaway presented the report of the joint committee appointed to visit the Hospital for the Insane at Mt. Pleasant.

The report was placed on file and ordered printed.

HOUSE MESSAGES.

Joint resolution, relating to the currency of the country.

Read first and second time, and referred to Committee on Banks.

Substitute for H. F. Nos. 49, 50, 62, 83 and 84, A bill for an act to repeal second paragraph of section 4337, and all of section 4338 of chapter 19, and section 4421 of chapter 27, title 25, and to amend sections 4275, chapter 14, and 4293, chapter 15, title 25, of the Code, relating to minutes of testimony before grand juries.

Read first and second time and referred to Committee on Judiciary.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths.

Read first and second time and referred to Committee on Judiciary.

H. F. No. 30, A bill for an act to amend section 1160 of the Code, title 9, chapter 4, concerning association for mutual insurance.

Read first and second time, and referred to Committee on Insurance.

On motion of Senator Murphy, S. F. No. 20, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans' Homes, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

Senator Teale moved to amend the amendment reported by the committee by striking out section 8.

The motion prevailed.

The amendment of committee reporting a new section was adopted.

On motion of Senator Dashiell the bill was considered by sections.

Senator Willett moved to recommit the bill with instructions.

The motion was disagreed to.

Senator Dashiell moved to amend section 1 by inserting the word "destitute" before the word "orphans" in third line.

The amendment prevailed.

Senator Maginnis moved to strike out of section 1 in second line the word "may," and to insert the word "shall;" also, to strike out the words "in their judgment" in third line of same section.

The amendment was lost.

Senator Campbell moved to amend section 1 by adding thereto the words, "and provided further that the soldiers' orphans now at the other State Orphans' Homes shall be received at this institution and properly provided for before other orphans shall be received into this institution."

Senator Campbell was excused for the day.

Senator Shane moved that when the Senate adjourn it adjourn until ten o'clock to-morrow morning.

The motion was lost.

At 12:10 P. M., on motion of Senator Dashiell, the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

The question being on the motion of Senator Campbell to amend the first section, the amendment was agreed to.

Senator Jessup offered the following amendment to section 1, insert after the word "home" in third line, the words "at Davenport."

The amendment prevailed.

Senator Rumble moved to amend section 2, by striking out of 2d line, the words "judge or clerk of the Circuit Court," and insert the words "Board of Supervisors or Auditor."

Adopted.

Senator Woolson moved to amend section 5 by inserting in 2d line after the word "provided" the words "and expenses of transmission of orphans to said home."

The motion prevailed.

Senator Woolson moved to amend section 6, by inserting in 3d line, after the word "children," the words "and expenses of their transmission to said home."

The motion was disagreed to.

Senator Larrabee moved to strike out of section 7, the words "uncle and aunt," in the first line.

The motion was agreed to.

Senator Teale moved to amend section 7 by adding thereto, "provided that such relative may at his option support such orphans at his own expense at any other place he may select."

The motion was lost.

On motion of Senator Jessup section 7 was stricken out.

Senator Teale offered the following as section 7 to the bill:

SEC. 7. The trustees shall provide for the regular employment of all children received into the Home, in some useful industrial pursuit, in order to enable them to support themselves after their discharge from the Home, and shall also provide for each child the means of obtaining a common school education while such orphans remain inmates of the Home.

The amendment prevailed.

Senator Merrell of Clinton, moved to strike out the words "orphans or" in 3d line section 1, also to strike out the same words in 4th line of same section.

The motion prevailed.

Senator Jessup moved to amend section 7 by adding "and any profit arising from any such labor, shall go into the general support of the Home, and shall be accounted for by the trustees."

The amendment was adopted.

Senator Dashiell moved to strike out the word "other" in the third line of section 1.

The motion was agreed to.

Senator Woolson offered the following amendment to section 3, which was agreed to; by inserting in fourth line after the word "now," the words "or may be."

Senator Woolson moved to amend section 5, by inserting in third line after the word "now," the words "or may be."

The motion prevailed.

Senator Murphy offered the following as section 9, to the bill which was adopted :

And be it further enacted, That the Soldiers' Orphans now at the other State Homes, shall be removed to the Davenport Home within ninety days after the taking effect of this act.

Senator Teale offered the following as section 10 :

Section 1623 of the Code, is hereby amended by striking out from the second and third lines thereof, the words "one person from each of the counties in which the said homes are located, and one from the State at large," and by inserting in lieu thereof the following words: "three persons from the State at large."

The amendment was adopted.

The bill was ordered engrossed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT :—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked :

H. F. No. 259, A bill for an act to legalize the official acts of the town council of Creston, Iowa, and the ordinances thereof.

H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and the products of the State of Iowa, at the centennial exhibition.

H. F. No. 374, A bill for an act to provide for payment of the expenses of the committees appointed to visit the various State institutions.

J. W. LOGAN, *Chief Clerk*.

On motion of Senator Arnold, substitute for H. F. No. 6, a bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly and for other purposes, was taken from the files and recommended to the Committee on Penitentiary.

REPORT OF COMMITTEES.

By leave Senator Cooley, from the Committee on Banks, submitted the following report:

MR. PRESIDENT :—Your Committee on Banks, to whom was referred

S. F. No. 162, a bill for an act to amend section 2094, chapter 3, title 14 of the Code, by adding thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred S. F. No. 26, a bill for an act to repeal section 1061 of the Code and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred H. F. No. 9, a bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted, and when adopted that it do pass.

Ordered passed on file and the substitute ordered printed.

Senator Cooley, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred S. F. No. 177, a bill for an act to amend section 807 of chapter 1, title 6 of the Code relating to insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code relating to the number of members of mutual associations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted, and when adopted that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4 of the Code in relation to insurance, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Insert after the word "expenses" in the 18th line of section 1, the words "it shall be the duty of the auditor to suspend such company from doing business in this State until said expenses are paid, if not so paid the same," and with this amendment that it do pass.

D. N. COOLEY, *Chairman.*

Ordered passed on file.

On motion of Senator Rothert S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, was taken up and considered.

Senator Rothert moved to amend by striking out the word "one" in first line in section one, and insert "two."

The motion was agreed to.

On motion of Senator Rothert the second section was stricken out. Senator Rothert moved to suspend the eleventh rule and read the bill a third time now.

The motion was agreed to.

On the question shall the bill pass, the yeas were :

Senators Arnold, Bailey, Bestow, Clark, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting :

Senators Campbell, Carr, Cooley, Dows, McCormack, Maginnis, and Nichols—7.

So the bill passed and the title was amended by striking out the words "and relief."

Senator Nichols was excused for the afternoon.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9, of the Code, relating to the numbers of members of mutual associations, with the report of the committee recommending a substitute, and when so adopted it do pass, was, on motion of Senator Cooley, taken up and the substitute adopted.

On motion of Senator Cooley the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Campbell, Dows, Hartshorn, and Nichols.—4.

So the bill passed and the title was agreed to.

On motion of Senator Teale, the joint resolution relative to amending section 2, article 1, of the State Constitution, was made special order for Wednesday next, the 23d inst., at 10½ o'clock.

HOUSE MESSAGES.

H. F. No. 259, A bill for an act to legalize the official acts of the town of Creston, Iowa, and the ordinances thereof.

Read first and second time, and referred to Committee on Municipal Corporations.

H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the various State Institutions and for other purposes.

Read first and second time, and referred to Committee on Appropriations.

H. F. No. 284, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa at the Centennial Exposition.

Read first and second time, and referred to Committee on Appropriations.

On motion of Senator Woolson S. F. No. 124, A bill for an act to provide for the enforcement of warrants and orders of corporations in certain cases, was taken from the files and recommitted to the Judiciary Committee.

On motion of Senator Bailey, S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest and costs due thereon, with the report of the committee recommending its passage, was taken up and considered.

Senator Bailey moved to suspend the eleventh rule and read the bill a third time.

Senator Larrabee moved to amend section 2 by striking out "for" and insert "due on."

On motion of Senator Dashiell, the bill was recommitted to the Committee on Ways and Means.

Senator Stoneman filed the following motions:

MR. PRESIDENT:—The undersigned desires to file the following motion, to-wit:

To reconsider the vote by which, on consideration of substitute for S. F. Nos. 5, 34, 53½ and 95, the words "at Sheldon," were inserted after the word "county" in the 13th line of section one.

JOHN T. STONEMAN.

MR. PRESIDENT:—The undersigned desires to file the following motion, to-wit:

To reconsider the vote by which, on the consideration of substitutes for S. F. No. 34, 53½ and 95, the words "to the town of Primghar and thence," were inserted after the word "to" in second line of section one.

JOHN T. STONEMAN.

On motion of Senator Stoneman the bill was made a special order for to-morrow morning at 10:15.

BILLS ON SECOND READING.

S. F. No. 31, A bill for an act to amend chapter 47 of the laws of the Fifteenth General Assembly was made a special order for 3 o'clock to-morrow afternoon.

S. F. No. 112, A bill for an act to repeal section 3791, chapter 2,

title 23 of the Code of 1873, relating to compensation of county supervisors and to enact a substitute therefor, with the report of the committee recommending its passage, was taken up and considered.

Senator Woolson moved to suspend the eleventh rule and read the bill a third time.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Pease, Perkins, Rothert, Ruple, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Larrabee, McCormack, Maginnis, Merrell of Clinton, Newton, Shane, Stoneman, Teale, Willett, and Wonn—10.

Absent or not voting:

Senators Campbell, Clark, Cooley, Dows, and Nichols—5.

So the bill passed and the title was agreed to.

S. F. No. 22: A bill for an act to amend section 500, chapter 10 of the Code, with the report of the committee recommending that it do pass, was taken up and considered.

Senator Arnold moved to amend section one by adding, "Provided that the provisions of this act shall not apply to cities having over 6,000 inhabitants."

The motion prevailed.

Senator Merrell of Clinton moved to amend section by adding to section one, "or less than 4,500 inhabitants."

Adopted.

Senator McCoid moved to amend by adding to section one, "In all other cases such loans shall not exceed three per cent. on such property."

The amendment prevailed.

On motion of Senator Arnold, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass the yeas were:

Senators Arnold, Bailey, Carr, Clark, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Ruple, Shane, Stoneman, Wonn, Wood, Woolson, Wright, and Young—31.

The nays were:

Senators Bestow, Conaway, Dashiell, Dwelle, Gilmore, Hitchcock, Kinne, Larrabee, Merrell of Clinton, Miller of Appanoose, Teale, Thornburg, Willett, Williams, and Wilson—15.

Absent or not voting:

Senators Campbell, Cooley, Dows, and Nichols—4.

So the bill passed and the title was amended by inserting after chapter 10, the words title 4.

Senator Hartshorn moved to adjourn. The motion prevailed and at 5 o'clock the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 18, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. W. Cowan.

Senator McCormack moved that the reading of journal of yesterday be dispensed with.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Shane: A petition from citizens of Blairstown, asking for the repeal of the latter part of section 488, Code of 1873.

Referred to Committee on Municipal Corporations.

Also, a petition from the citizens of Benton county, asking that church property be taxed.

Referred to Committee on Ways and Means.

Also, petitions from the members of the bar at Blairstown, Belle Plaine, Vinton, Monticello, Anamosa and Cedar Rapids, asking that no reduction be made in the pay of shorthand reporters.

Referred to Committee on Judiciary.

By Senator Kinne: A petition from Postville, asking for the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

By Senator Campbell: A petition from citizens of Jasper county, asking for the continued enactment of the present railroad tariff law.

Referred to Committee on Railroads.

Also, a petition from residents of Newton, asking the repeal of the same law, which was referred to same committee.

By Senator Miller of Black Hawk: A petition from citizens of Black Hawk county, asking for the continued enactment of the present railroad tariff law, and protesting against the appointment of a railroad commissioner.

Referred to Committee on Railroads.

By Senator Cooley: A like petition from citizens of Hardin county, which was referred to same committee.

Also, a petition from citizens of Dubuque, asking for laws for the better protection of creditors.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By leave Senator Cooley introduced S. F. No. 211, A bill for an act to provide for punishment for fraudulent disposition of personal property.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 212, A bill for an act to amend section 2951 and 3011 of the Code, in relation to attachments.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 213, A bill for an act to repeal section 1923 of the Code and to enact a substitute therefor, in relation to sale of personal property under chattel mortgage.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 214, A bill for an act to repeal section 2117 of the Code and to enact a substitute therefor, in relation to assignment of insolvent debtors.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 215, A bill for an act to regulate the foreclosure of chattel mortgages and to provide for distribution of proceeds of mortgaged property.

Read first and second time, and referred to Committee on Judiciary.

On motion of Senator Jessup the consideration of S. F. No. 136, A bill for an act to amend section 1555 of the Code, which was made a special order for to-day at 10:30 A. M., was made a special order for Thursday, 24th inst., at 10:15 A. M.

Senator Wilson was excused until Tuesday next.

Senator Carr was granted leave of absence until March 1st.

SPECIAL ORDER.

The hour having arrived for the consideration of substitute for S. F. Nos. 34, 53½ and 95, A bill for an act to extend the time named in "an act making a grant of land to the McGregor & Sioux City Railway Company and the Forty-third Parallel Railway Company" approved March 31st, 1868, the bill was taken up and considered.

The question being on the motion filed by Senator Stoneman to reconsider the vote by which the words "to the town of Primghar" were inserted after the word "to" in second line of section 1, and to reconsider the vote by which the words "at Sheldon" were inserted after the word "county" in the 13th line of section 1.

Pending which, on motion of Senator Campbell, the Senate at 12 M. adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

Senate met pursuant to adjournment, and was called to order by the President.

Senator Woolson moved that when the Senate adjourn on Monday next, it adjourn until Wednesday next.

Senator Hartshorn moved to amend the motion by striking out "Monday" and insert "Saturday."

Senator Bestow moved to lay the motion on the table.

The motion prevailed.

The Senate then resumed the consideration of the motion to reconsider.

The motion to reconsider prevailed.

The question being on the adoption of the amendment to insert in the second line of section one, after the word "to," the words "to the town of Primghar," which was disagreed to.

The question then recurring on the motion to reconsider the vote by which the words "at Sheldon," after the word "county," in the thirteenth line of section one, were inserted.

The motion to reconsider prevailed.

Senator Hortshorn moved to amend section one by striking out the words "thence to Sheldon," and insert the words, "within one-half mile of Sheldon."

The motion prevailed.

Senator Hartshorn moved to amend section one by inserting after the word thence in twelfth line, the words "on the most direct and practicable route."

The motion was agreed to.

Senator Larrabee's amendment was then adopted.

Senator Hartshorn moved to amend section one by striking out all after the words "1877," in eleventh line, down to and including the word "thence" in the twelfth line.

The motion was lost.

Senator Hartshorn moved to strike out of twelfth line in section one the words "to Spencer, in Clay county."

The motion prevailed.

Senator Stoneman moved to amend section one, by inserting after the word "railroad," in the eleventh line, the words "from Algona, in Kossuth county."

The motion was adopted.

Senator Hartshorn, by unanimous consent, offered the following proviso to the amendment offered to section one, the following words: "Provided said section, or the greater part thereof is available to said company under said grant."

Senator Campbell offered the following to section two, insert after word "constructed," in the eighteenth line, the words, "Provided further that nothing contained in this act shall be construed to give the McGregor and Missouri River Railroad Company any right or interest in any lands in which there is an existing pre-emption or homestead lien, or patented to the State of Iowa, for the benefit of any other railroad company except as the same existed prior to the passage of this act."

Senator Hartshorn moved to amend the amendment by striking out all after the words "or patented."

Senator Cooley moved to commit the bill to the Committee on Judiciary, with the pending amendments, with instructions to report on Wednesday morning.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill: S. F. No. 86, A bill for an act

to amend chapter 2, title 16, of the Code, relating to probate of will, with the following amendments, in which concurrence is asked:

Strike out of section 1 the words "of 1873."

Add to section 2, "and this act shall take effect from the date of the last publication aforesaid, notwithstanding section 33 of the Code."

Also, strike out of the title of the bill the words "of 1873."

J. W. LOGAN, *Chief Clerk*.

On motion of Senator Woolson, further consideration of the bill was postponed until to-morrow morning at 10:15.

On motion of Senator Woolson, bills on third reading were taken up. S. F. No. 86, A bill for an act to amend chapter 2, title 16, of the Code, relating to probate of wills, was taken up.

The question being, shall the Senate concur in the House amendments, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wonn, Wood, and Woolson—37.

The nays were:

Senators Campbell and Wright—2.

Absent or not voting:

Senators Carr, Jessup, Maginnis, Merrell of Clinton, Mitchell, Murphy, Nichols, Rothert, Wilson, and Young—10.

So the Senate concurred in the House amendments.

RESOLUTION.

Senator Wonn, presented the following resolution :

Resolved, That when we adjourn we adjourn until to-morrow at 10 A. M., and that the President of the Senate be required upon opening the Senate to-morrow, to adjourn the same until Wednesday 23rd, at 10 A. M.

Senator Larrabee moved to amend by striking out all after the word "resolved," and insert the following :

By the Senate the House concurring, That the President of the Senate, and the Speaker of the House, are hereby ordered to adjourn their respective Houses *sine die* on the 10th day of March, next at 12 o'clock noon.

On the adoption of the amendment, the yeas and nays were demanded and the yeas were :

Senators Arnold, Bestow, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Pease, Rumble, Thornburg, Willett, Williams, Wood, and Young—31.

The nays were:

Senators Dashiell, Miller of Appanoose, Perkins, Shane, Stoneman, Teale, Wonn, Woolson, and Wright—9.

Absent or not voting:

Senators Bailey, Carr, Hebard, Jessup, Maginnis, Merrell of Clinton, Murphy, Nichols, Rotherst, and Wilson—10.

So the amendment was agreed to.

At 5 o'clock P. M., on motion of Senator Hartshorn, the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 19, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. H. O'Neil.

On motion of Senator Shane the reading of yesterday's journal was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked.

Substitute for H. F. No. 289, A bill for an act to amend sections 1802 and 1808 of chapter 9, title 12 of the Code, relating to the election of directors in Independent Districts.

H. F. No. 63, A bill for an act to quiet and confirm the title of certain lands in Appanoose county, Iowa, in George Campbell.

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and to amend chapter 50 of the Laws of the Fifteenth General Assembly, enlarge and define the duties of the commissioners and appropriate money to carry out the provisions of this act.

Also that the House has passed without amendments S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa.

J. J. FLYNN, *Second Assistant Clerk.*

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Bestow: A memorial from citizens of Clark county, against the repeal of the present liquor law.

Referred to Committee on Suppression of Intemperance.

Also, A petition from citizens of Clark county, asking that railroad trains be prohibited from running on the Sabbath.

Referred to Committee on Railroads.

Also, A petition from citizens of Chariton, asking the Legislature to memorialize Congress to repeal the so-called Resumption Act.

Referred to Committee on Banks.

By Senator Rumble: A petition of 221 citizens for amendments to section 1180 Code, to remove limitations upon numbers.

Referred to Committee on Insurance.

By Senator Bailey: Petitions from Bremer county asking that the so-called McGregor and Missouri River Railway land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Hersey: A petition from Delaware county on the same subject, which was referred to same committee.

By Senator Mitchell: A petition from citizens of Des Moines, Iowa, asking for further protection of creditors and debtors.

Referred to Committee on Judiciary.

Also, a petition from Page county asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

Also, a petition from the citizens of Benton county, asking for a law prohibiting railroad trains from running on the Sabbath.

Referred to Committee on Railroads.

By Senator Arnold: A petition from citizens of Grundy county, asking for a repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Dwelle: A petition from citizens of Hancock county asking that the so-called McGregor and Missouri River Railroad land grant be resumed.

Referred to Committee on Railroads.

By Senator Harmon: A petition from the citizens of Buchanan county asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Cooley: A petition from citizens of Dubuque county asking for a change in the mechanics' lien laws.

Referred to Committee on Judiciary.

By Senator Nichols: A petition from the citizens of Guthrie and Adair counties, asking for the repeal of the present railroad tariff law.

Also, a petition from the citizens of Guthrie county, asking for the resumption by the State of the so-called McGregor and Missouri River Railroad land grant.

The two petitions were referred to Committee on Railroads.

By Senator Larrabee: A petition from citizens of Fayette county asking that the so-called McGregor and Missouri River Railroad land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator McCoid: Asking that church property be taxed.

Referred to Committee on Ways and Means.

By Senator Maginnis: A petition from citizens of Bellevue, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

Also petitions from same asking that the so-called McGregor Western Railroad land grant be given to Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Dwelle: A like petition from citizens of Wright county which was referred to Committee on Railroads.

By Senator Hersey: A petition from citizens of Manchester protesting against the repeal of the present railroad tariff law.
Referred to Committee on Railroads.

RESOLUTION.

Senator Campbell introduced the following resolution, which was made special order for Thursday, February 24th, at 10½ o'clock.

Resolved, That it is the sense of this Senate, that the repeal of the present-railroad tariff law is unadvisable; but we favor any amendment that may be deemed necessary to further render its provisions equitable, alike to both railroads and people.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT :—I am directed to inform your honorable body that the House has passed the following resolution :

Resolved, That the House request the return of H. F. No. 63, for further consideration.

J. J. FLYNN, *Assistant Clerk*.

On motion of Senator Nichols, the Secretary of the Senate was instructed to return the bill.

The hour having arrived for the consideration of substitute for S. F. Nos. 34, 53½ and 95, A bill for an act to extend the time named in "an act making a grant of land to the McGregor & Sioux City Railway Company, and the forty-third parallel Railway Company," approved March 31, 1876. The bill was taken up and considered, the question being on the motion to commit the bill to the Committee on Judiciary.

The motion to commit prevailed.

Senator Stoneman moved to print the bill and amendments and make it a special order on Wednesday morning next at 10:15.

The motion prevailed.

Senator Campbell filed a motion to reconsider the vote by which the words "to the town of Primghar" were stricken out of the bill.

INTRODUCTION OF BILLS.

By leave Senator Dows introduced S. F. No. 216, A bill for an act to legalize ordinances Nos. 142 and 147 passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city and the conveyance of land on which to erect the same.

Read first and second time, and referred to Committee on Judiciary.

By leave Senator Wood introduced S. F. No. 217, A bill for an act supplying copies of White's Geological Report.

Read first and second time, and referred to Committee on Appropriations.

By leave Senator Rumble introduced S. F. No. 218, A bill for an act to amend section 482 of the Code.

Read first and second time, and referred to Committee on Judiciary.
By leave Senator Wright introduced S. F. No. 219, A bill for an act providing for the organization of the county of Cook.

Read first and second time, and referred to Committee on County and Township Organizations.

By leave Senator Gallup introduced S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code of 1873.

Read first and second time, and referred to Committee on Judiciary.

By leave Senator Campbell introduced S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with, and injury to the property of railroad companies.

Read first and second time, and referred to Committee on Railroads.

HOUSE MESSAGE.

Substitute for H. F. No. 289, A bill for an act to amend sections 1802 and 1808, of chapter 9, title 12, of the Code, relating to the election of directors in independent districts.

Read first and second time, and referred to Committee on Schools.

Senators Arnold, McCoid, Hersey, Jessup, Murphy, Young, Perkins, Wood, and Merrell of Clinton, were excused.

Senator Larrabee, from the Committee on Ways and Means, introduced S. F. No. 222, A bill for an act to amend sections 129 and 1384 of the Code.

Read first and second time.

On motion of Senator Larrabee, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wonn, Wood, Woolson and Wright—44.

The nays were none.

Absent or not voting:

Senators Carr, Jessup, Merrell of Clinton, Murphy, Wilson and Young—6.

So the bill passed and the title was agreed to.

COMMITTEE REPORTS.

Senator Shane, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 143, A bill for an act to establish a central station for meteorological observations, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding to the last line of section 1 these words: "and in

case of his death or disability that the Governor shall appoint a successor." Also, that section 4 be amended by striking out the word "two" in the second line, and by inserting "one;" and that the sixth line of same section be amended by inserting after the word "necessary" the words "for the years 1876 and 1877," and that after so amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources of the State of Iowa at the centennial exposition, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the fifth line of the third section the word "Legislature" and insert the words "General Assembly" in lieu thereof.

Also, strike out of the fourth line of the fifth section the word "Legislature" and insert in lieu thereof the words "General Assembly," and that so amended the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred substitute for H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

SHANE, *Chairman*.

Ordered passed on file.

Senator Nichols, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. Nos. 67 and 96, Bills for acts to enable townships and incorporate towns and cities to aid in the construction of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and be printed—further, the committee make no recommendation.

S. D. NICHOLS.

Ordered passed on file, and the substitute ordered printed.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 144, A bill for an act authorizing the State Treasurer to pay over to Davis county, and other counties, the balance of swamp land fund, beg leave to report that they have had the same under consideration, and inclose a substitute for said bill, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman*.

Ordered passed on file.

Also, the following:

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 601, a bill for an act to amend section 463 of the Code, title 4, chapter 10 of cities and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed.

M. A. MCCOID, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 115, a bill for an act to amend section 1793 of chapter 9, title 12 of the Code, relating to compensation of school officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding thereto the following, to-wit: "Provided the limitations herein of compensation shall not apply to independent districts having by the last State census a population of 5,000," and that when so amended it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

On motion of Senator Shane, H. F. No. 264, a bill for an act to appropriate money to aid in exhibiting the resources of the State of Iowa at the centennial exposition, with the report of committee, recommending amendments, was taken up and the report of the committee adopted.

Senator Larrabee moved to amend section one, by striking out \$20,000 and inserting \$15,000.

On this motion the yeas and nays were demanded and the yeas were:

Senators Bailey, Bestow, Gallup, Hartshorn, Kinne, Larrabee, McCormack, Miller of Appanoose, Pease, Teale, Williams, Wonn, Wood, and Wright—14.

The nays were:

Senators Arnold, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, and Woolson—28.

Absent or not voting:

Senators Carr, Dows, Jessup, Merrell of Clinton, Murphy, Perkins, Wilson, and Young—8.

So the motion to strike out did not prevail.

On motion of Senator Shane the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCoid, Maginnis, Merrill of

Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Woolson, and Wright—37.

The nays were:

Senators Bestow, Kinne, McCormack, Teale, and Wonn—5.

Absent or not voting:

Senators Carr, Dows, Jessup, Merrell of Clinton, Murphy, Wilson, Wood, and Young—8.

So the bill passed and the title was agreed to.

Senator Teale moved that when the Senate adjourn, it adjourn until Wednesday next at 10 o'clock.

Senator Bestow moved to amend by striking out Wednesday and inserting Monday.

The amendment was lost.

On the motion to adjourn the yeas and nays were demanded and the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dows, Gallup, Gilmore, Graham, Hebard, Kinne, McCoid, Maginnis, Merrell of Wapello, Miller of Black Hawk, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, and Woolson—26.

The nays were:

Senators Bestow, Campbell, Conaway, Harmon, Hartshorn, Hersey, Hitchcock, Larrabee, Lovell, McCormack, Miller of Appanoose, Newton, Williams, Wonn, Wood, and Wright—16.

Absent or not voting:

Senators Carr, Dashiell, Dwelle, Jessup, Merrell of Clinton, Murphy, Wilson, and Young—8.

So the motion to adjourn until Wednesday prevailed.

By leave, Senator McCormack presented a petition from citizens of Perry township, Marion county, to legalize the establishment of an independent school district in that township.

Referred to Committee on Schools.

BILLS ON SECOND READING.

S. F. No. 11, A bill for an act defining the rights of parties in cases of injuries arising from negligence, with the report of the committee recommending that it be indefinitely postponed, was taken up and the report of the committee adopted.

S. F. No. 48, A bill for an act in relation to the payment of taxes, was taken up with the report of the committee recommending a substitute, and the substitute adopted.

Senator Cooley moved to suspend the eleventh rule and read the bill a third time.

The motion was agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman

Teale, Thornburg, Willett, Williams, Wonn, Woolson, and Wright—39.

The nays were:

Senators Dashiell and McCoid—2.

Absent or not voting:

Senators Carr, Dows, Gallup, Jessup, Merrell of Clinton, Murphy, Wilson, Wood, and Young—9.

So the bill passed and the title was agreed to.

Senators Rumble and Dashiell were excused for next week.

On motion of Senator Gilmore, at 12 M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 23, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. Telleen.

Journal of the last days proceedings read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills and resolutions which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 317, A bill for an act to legalize the official acts of Geo. B. Wilson, a notary public in and for Adair county, Iowa.

S. F. No. 55, A bill for an act to amend chapter 7, of title 14 of the Code, in relation to assignments for the benefit of creditors.

Also, a joint resolution in relation to a modification of the homestead law.

Also, a joint resolution in relation to a proposed canal from some point between the mouth of the Rock river and Clinton, Iowa, on the Mississippi river to the Illinois river at Hennepin.

J. J. FLYNN, *Second Assistant Clerk.*

Senator Larrabee moved that when the Senate adjourn, it adjourn until 2 o'clock this afternoon.

The motion was adopted.

PETITIONS AND MEMORIALS.

By Senator Young: Petitions from citizens of Brighton township, Cass county, and from citizens of Cass and Pottawattamie counties, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

Also, a petition from citizens of Adair county, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

Also, a petition from the citizens of Creston, Iowa, asking for a legalizing act for said town.

Referred to Committee on Judiciary.

By Senator Bailey: A petition from the citizens of Chickasaw county asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Campbell: A petition from citizens of Jasper county asking for a repeal or modification of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Kinne: Ten petitions from citizens of Allamakee county asking for the enactment of a judicious license law.

Referred to the Committee on Suppression of Intemperance.

By Senator Perkins: A petition from citizens of Northwestern Iowa, asking that the time be extended to the McGregor and Missouri River Land Grant Company, upon condition that said company conform to the spirit and letter of the law.

Referred to the Committee on Railroads.

By Senator Merrill of Wapello: A petition from citizens of Wapello county, asking that the action of the Fifteenth General Assembly submitting to the people of the State the proposition to strike out the word "male" from the State constitution be ratified.

Referred to Committee on Constitutional Amendments.

By Senator Hartshorn: A petition from citizens of Pomeroy, Calhoun county, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Larrabee. A petition from 291 citizens of Fayette county, asking for the amendment to section 1160 of the Code.

Passed on file.

By Senator Mitchell: A petition from citizens of Polk county, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Young: A petition from citizens of Creston, Iowa, asking that the McGregor Western Railroad Land Grant be given to the Iowa, Dakota & Black Hills Railway Company.

Referred to the Committee on Railroads.

By Senator Pease: A petition from citizens of Van Buren county, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Lovell: A memorial from citizens of Monticello, Jones county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Woolson: A petition from citizens of Henry county, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

Also, a petition from citizens of the same county, asking that the present liquor law be retained.

Referred to Committee on Suppression of Intemperance.

By Senator Shane: A petition from citizens of Van Buren county, asking for the partial repeal of section 1160, chapter 4 of the Code of 1873, in regard to limitation of numbers.

Referred to the Committee on Insurance.

By Senator McCormack: A petition from citizens of Marion county, asking for the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Clark: A petition from citizens of Iowa City, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on railroads.

By Senator Hitchcock: A like petition from citizens of Osage, Mitchell county, which was referred to the same committee.

Also, a like petition from citizens of Floyd county, which was referred to the same committee.

By Senator Rumble: A like petition from citizens of Iowa county, which was referred to the same committee.

By Senator Jessup: Petitions from citizens of Hardin and Hamilton counties, asking that the so-called McGregor Western Railroad Land Grant be given to the Iowa, Dakota & Black Hills Railway Company.

Referred to the Committee on Railroads.

By Senator Miller of Black Hawk: A petition from citizens of Cedar Falls, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By unanimous consent, Senator Rumble withdrew from the files S. F. No. 65, A bill for an act to repeal section 209, chapter 9, title 3, of the Code of 1873.

INTRODUCTION OF BILLS.

By leave, Senator Williams introduced S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

Read first and second time, and referred to the Committee on Agriculture.

By leave, Senator Hartshorn introduced S. F. No. 224, A bill for an act to amend chapter 1, title 21, of the Code, in relation to jurisdiction of justices of the peace.

Read first and second time, ordered printed, and referred to the Committee on Judiciary.

By leave, Senator Rumble introduced S. F. No. 225, A bill for an act to repeal section 209 of the Code, and to enact a substitute therefor, in relation to graduates of the Law Department of the State University.

Read first and second time, and referred to the Committee on State University.

Senator Willett, from the Committee on Judiciary, to whom was referred substitute for S. F. Nos. 34, 53½, and 95, A bill for an act to extend the time named in "an act making a grant of land to the McGregor & Sioux City Railway Company and the Forty-third Parallel Railway Company," approved March 31, 1868, reported that the committee had the bill under consideration, and asked for further time, which was granted.

By leave, Senator Arnold introduced S. F. No. 226, A bill for an act to amend section 3072, of chapter 2, title 18, of the Code.

Read first and second time, and referred to the Committee on Judiciary.

The President announced that the hour for the special order had arrived, which was the consideration of the joint resolution proposing to amend section 11, article 1, of the Constitution of the State of Iowa:

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa, be, and the same is hereby proposed. Strike out section 11, article 1, of the said constitution and insert the following in lieu thereof, as section 11.

Section 11. All offenses less than felony and in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a justice of the peace or other officer authorized by law, on information under oath, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offense unless held to answer by a magistrate after an investigation according to law by such magistrate; except in cases arising in the army and navy, or in the militia, when in actual service, in time of war or public danger, and all criminal prosecutions shall be conducted without presentment, indictment, or the intervention of a grand jury.

Resolved, further, That this resolution proposing to amend the Constitution of the State of Iowa, is hereby referred to the legislature to be chosen at the next general election for members of the legislature; and that the Secretary of State shall cause the same to be published for three months previous to the time of the next general election for members of the legislature, in one newspaper in each congressional district.

On the question of engrossing the joint resolution, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Cooley, Dwelle, Gallup, Gilmore, Hartshorn, Hebard, Hitchcock, Kinne, Lovell, McCormack, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Shane, Teale, Thornburg, Williams, Wood, and Wright—25.

The nays were:

Senators Conaway, Jessup, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Rumble, Willett, Wilson, and Woolson—11.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Graham, Harmon, Hersey, Miller of Appanoose, Nichols, Perkins, Rothert, Stoneman, Wonn, and Young—14.

So the joint resolution was ordered engrossed.

RESOLUTION.

Senator Wonn offered the following resolution:

Resolved, That hereafter no Senator shall be allowed to speak over ten minutes on one question unless by unanimous consent.

On the adoption of the resolution the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dows, Gallup, Gilmore, Hebard, Kinne, Larrabee, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Perkins, Teale, Thornburg, Wilson, and Wonn—20.

The nays were:

Senators Campbell, Conaway, Hartshorn, Hitchcock, Jessup, Lovell, McCoid, Merrell of Clinton, Murphy, Newton, Pease, Rumble, Shane, Williams, Wood, Woolson, Wright, and Young—18.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dwelle, Graham, Harmon, Hersey, Miller of Appanoose, Nichols, Rotherbert, Stoneman, and Willett—12.

So the resolution was adopted.

COMMITTEE REPORT.

Senator Young, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills respectfully report that they have examined S. F. No. 20, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans' Home, and find the same correctly engrossed.

YOUNG, *Chairman*.

HOUSE MESSAGES.

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of Fish Commissioners, and appropriate money to carry out the provisions of this act.

Read first and second time, and referred to the Committee on Fish and Game.

Senator Miller of Appanoose was excused.

REPORT OF COMMITTEE.

Senator Shane, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the various State institutions, beg leave to report that they have had the same under con-

sideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended in the title by adding after the word "institutions," in the 5th line, the words, "and for other purposes," and that, so amended, the bill do pass.

SHANE, *Chairman*.

Ordered passed on file.

On motion of Senator Shane, the bill was taken up and considered. Senator Shane moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hebard, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumble, Shane, Stoneman, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Harmon, Hersey, Miller of Appanoose, Nichols, Perkins, Rothert, Teale, and Williams—12.

So the bill passed, and the title amended as recommended by the committee.

BILLS ON THIRD READING.

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the orphans' home, was taken up and considered.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senators Hebard and Shane—2.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Harmon, Hersey, Miller of Appanoose, Nichols, Rothert, and Williams—9.

So the bill passed.

Senator Murphy offered the following as a new title to the bill,

"A bill for an act to establish a home and industrial school at Davenport for the destitute children of Iowa."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Clark, Dows, Hartshorn, Hitchcock, Jessup, Larrabee, Maginnis, Mitchell, Murphy, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, and Wright—18.

The nays were:

Senators Arnold, Campbell, Conaway, Cooley, Dwelle, Gallup, Gil-

more, Graham, Hebard, Kinne, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Newton, Pease, Shane, Willett, Wood, Woolson, and Young—22.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Harmon, Hersey, Lovell, Miller of Appanoose, Nichols, Perkins, and Rothert—10.

So the Senate refused to adopt the title.

Senator Willett offered the following amendment to the title, "and provide for other indigent children of the State, and make provision for industrial pursuits therein."

The amendment was adopted, and the title as amended was agreed to.

Senator Gallup, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined S. F. No. 86, and find the same correctly enrolled.

W. H. GALLUP, *for the Committee.*

Senators Bestow, Harmon, and Rothert were excused.

BILLS ON SECOND READING.

H. F. No. 72, A bill for an act to repeal section 4556 of the Code and enact a substitute therefor, and render competent as witnesses in their own behalf, defendants in criminal cases, was taken up with the report of the committee recommending that it be indefinitely postponed.

Senator Miller of Black Hawk, moved to strike out of section 1, the words "except when the defendant is charged with murder or manslaughter."

RESOLUTIONS.

Senator Gilmore offered the following resolutions which were unanimously adopted:

Resolved, That, whereas it has pleased God in His all-wise Providence to remove by death a former member of this body, Hon. James A. Young, and desiring to express our appreciation of his worth, our deep sense of his loss, and to offer a tribute of respect to his memory, we, as members of this Senate, bear testimony to the eminent worth of our departed co-laborer, who, in every position of honor and trust, he was called upon to fill in his singularly active life, secured, as he merited, the commendation of his constituents and those with whom he was associated. And we recognize in this sad Providence a warning voice admonishing us that death is no respecter of persons, and that whatsoever our hands find to do we should do with our might; and we tender to his bereaved family our warmest sympathy and condolence in this their great sorrow.

Resolved, That these resolutions be placed on the records of the Senate and direct that a copy of the same be forwarded to the family of the deceased.

On motion of Senator Cooley the Senate at 12:20 P. M., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

Senator Clark moved that the Senate take a recess of ten minutes. The motion prevailed.

At 2:10 P. M. the Senate was called to order by the President.

The consideration of H. F. No. 72 was resumed.

The question being on striking out of section 1 the words, "except when the defendant is charged with murder or manslaughter."

On this question the yeas and nays, were demanded, and the yeas were:

Senators Campbell, Clark, Gallup, Harmon, Hersey, Jessup, Kinne, Larrabee, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, and Young—27.

The nays were:

Senators Arnold, Bailey, Conaway, Cooley, Dows, Graham, Lovell, Maginnis, Merrell of Clinton, Stoneman, and Wright—11.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dwelle, Gilmore, Hartshorn, Hebard, Hitchcock, Miller of Appanoose, Rothert, Teale, and Williams—12.

So the motion to strike out prevailed.

Senator Shane moved a call of the Senate.

The roll was then called and Senators Hebard and Williams were found absent without leave.

On motion of Senator Larrabee, the absentees were excused.

On the question to indefinitely postpone the bill, the yeas and nays were demanded and the yeas were:

Senators Bailey, Clark, Conaway, Dows, Dwelle, Gallup, Gilmore, Graham, Hitchcock, Lovell, McCoid, Maginnis, Merrell of Clinton, Murphy, Nichols, Pease, Rumble, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, and Young—28.

The nays were:

Senators Arnold, Campbell, Hartshorn, Hersey, Jessup, Kinne, Larrabee, McCormack, Miller of Black Hawk, Mitchell, Newton, Perkins, Shane, Williams, and Wright—15.

Absent or not voting:

Senators Bestow, Carr, Cooley, Dashiell, Harmon, Hebard, Merrill of Wapello, Miller of Appanoose, and Rothert—9.

So the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills and resolutions which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 86, A bill for an act to amend chapter 2, title 16, of the Code, relating to the probate of wills.

H. F. No. 320, A bill for an act making appropriation to pay the expenses incurred by the ceremonies of inauguration.

Also, a joint resolution relating to money stolen from the treasury of Bremer county.

J. J. FLYNN, *Assistant Clerk*.

On motion of Senator Bailey, H. F. No. 32, A bill for an act to legalize the levy of certain taxes and to provide for the collection thereof, with the report of the committee recommending its passage, was taken up and considered.

On motion of Senator Larrabee, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jesseup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Hebard, Miller of Appanoose, Rothert and Teale—7.

So the bill passed and the title was agreed to.

JOINT RESOLUTION.

Joint resolution, proposing certain amendments to State Constitution relative to public funds.

Be it Resolved by the General Assembly of the State of Iowa: That the following amendments to the Constitution of the State of Iowa be, and are hereby, proposed:

First, That no public funds, either state, county, city, or township, or other public moneys or revenues of any character or description whatever, shall be appropriated to, or used in the establishment, support, or maintenance of any seminary, school, college, or other institution of learning or of charity whatsoever, unless the same shall have been established by the laws of the State and be under its full control; nor shall any State institution ever be under the control of any religious denomination, nor shall any sectarianism be taught therein.

Second, The General Assembly shall enact such laws as shall or may

be necessary to carry out and enforce the provisions of the foregoing section.

Resolved, further, That these resolutions proposing to amend the Constitution of the State of Iowa are hereby referred to the General Assembly to be chosen at the general election in 1877; and the Secretary of State shall cause the same to be published for three months previous to the time of said election in one newspaper in each Congressional district.

The report of a majority of the committee, recommending its adoption, and the report of the minority of the committee, recommending amendments, were taken up and considered.

The Senate refused to concur in the amendments reported by the minority of the committee.

Senator Campbell moved to amend the joint resolution by adding the following: "Nothing in this amendment shall be construed to exclude the reading of the Bible in the public schools, or in the public institutions belonging to and controlled by the State."

Senator Merrell of Clinton, moved to amend the amendment by adding after the word "exclude" the words "or authorize."

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Cooley, Kinne Lovell, McCormack, Maginnis, Merrell of Clinton, Murphy, Shane, Stoneman, Teale, Willett, and Wonn—14.

The nays were:

Senators Campbell, Clark, Conaway, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Black Hawk, Mitchel, Newton, Nichols, Pease, Perkins, Rumble, Thornburg, Wilson, Wood, Woolson, Wright, and Young—30.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Miller of Appanoose, Rothert, and Williams—6.

So the amendment to the amendment did not prevail.

Senator Woolson moved to amend the amendment by inserting after the word "exclude" the words "or require."

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Cooley, Dows, Gallup, Hartshorn, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Mitchell, Murphy, Nichols, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Wonn, and Young—22.

The nays were:

Senators Campbell, Clark, Conaway, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Newton, Pease, Perkins, Wilson, Wood, Woolson, and Wright—22.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Miller of Appanoose, and Williams—6.

The President voted nay, so the amendment to the amendment was lost.

Senator Bailey offered the following as a substitute for the amendment: "Provided the Bible shall be excluded only where objections are made by a patron or patrons from conscientious scruples."

Senator Perkins moved to lay the resolution upon the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Clark, Conaway, Dows, Hebard, Hitchcock, Larrabee, McCoid, Maginnis, Merrill of Wapello, Mitchell, Perkins, Shane, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Wright, and Young—20.

The nays were:

Senators Arnold, Bailey, Campbell, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, Kinne, Lovell, McCormack, Merrell of Clinton, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Rumble, Wood, and Woolson—24.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Miller of Appanoose, Rothert, and Williams—6.

So the motion to lay upon the table was lost.

Senator Stoneman moved to reconsider the vote by which the words "or required" was lost.

On this question the yeas and nays were demanded, and the yeas were:

Senators Clark, Cooley, Hartshorn, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Mitchell, Murphy, Nichols, Rumble, Shane, Stoneman, Teale, Willett, Wonn, and Young—19.

The nays were:

Senators Bailey, Campbell, Conaway, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCoid, Merrill of Wapello, Miller of Black Hawk, Newton, Pease, Perkins, Wilson, Wood, Woolson, and Wright—22.

Absent or not voting:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Miller of Appanoose, Rothert, Thornburg, and Williams—9.

So the motion to reconsider did not prevail.

The substitute for the amendment offered by Senator Bailey was lost.

On the adoption of the amendment offered by Senator Campbell, the yeas and nays were demanded and the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, McCoid, McCormack, Merrill of Wapello, Mitchell, Newton, Nichols, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Wilson, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Clark, Lovell, Maginnis, Merrell of Clinton, Miller of Black Hawk, Murphy, Shane, Willett, and Wonn—9.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Miller of Appanoose, Rothert, and Williams—6.

So the amendment was adopted.

Senator McCoid offered the following amendment to the resolution:

strike out of section 1 in 6th line, the words "any sectarianism" and insert in lieu thereof the words, "the peculiar doctrine of any religious organization," also to insert after the word "be" in the 6th line, the words "by law compelled to be."

On the question of adopting the first amendment the yeas and nays were demanded and the yeas were:

Senators Bailey, Campbell, Conaway, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Teale, Thornburg, Wilson, Wonn, Wood, Woolson, Wright, and Young—31.

The nays were:

Senators Clark, Cooley, Dwelle, Kinne, Lovell, McCormack, Merrell of Clinton, Shane, Stoneman, and Willett—10.

Absent or not voting:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Larrabee, Miller of Appanoose, Rothert, and Williams—9.

So the amendment was adopted.

Senator Willett moved to amend the second proposition by striking out the words "by law compelled" and insert the word "permitted."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Kinne, Lovell, McCormack, Merrell of Clinton, Murphy, Shane, Teale, Willett, Wonn, Wood, and Young—12.

The nays were:

Senators Arnold, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rumble, Stoneman, Thornburg, Wilson, Woolson, and Wright—31.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Miller of Appanoose, Rothert, and Williams—7.

So the amendment to the amendment was lost.

On the adoption of the second proposition of the amendment the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Teale, Thornburg, Willett, Wonn, Wood, Woolson, Wright and Young—37.

The nays were:

Senators Hartshorn, Kinne, Merrell of Clinton, Miller of Black Hawk, Stoneman, and Wilson—6.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Miller of Appanoose, Rothert and Williams—7.

So the amendment was adopted.

Senator McCoid moved to reconsider the vote by which the amendment offered to the resolution was adopted.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Hartshorn, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Nichols, Rumble, Shane, Teale, Thornburg, Willett, Wonn, Woolson, and Young—24.

The nays were:

Senators Campbell, Conaway, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Miller of Black Hawk, Newton, Pease, Perkins, Stoneman, Wilson, Wood, and Wright—19.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Miller of Appanoose, Rother, and Williams—7.

So the motion to reconsider prevailed.

On the adoption of the amendment offered by Senator Campbell the yeas and nays were demanded, and the yeas were:

Senators Arnold, Campbell, Conaway, Dows, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Kinne, Miller of Black Hawk, Newton, Pease, Rumble, Wood, and Wright—19.

The nays were:

Senators Bailey, Cooley, Gallup, Hartshorn, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Nichols, Perkins, Shane, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Woolson, and Young—24.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Miller of Appanoose, Rother, and Williams—7.

So the amendment was not adopted.

Senator McCoid moved to strike out the second section of the resolution, which was disagreed to.

Senator Stoneman moved to indefinitely postpone the resolution.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Campbell, Clark, Conaway, Cooley, Dows, Gilmore, Graham, Harmon, Hebard, Hitchcock, Jessup, Kinne, Larrabee, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Newton, Perkins, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—31.

The nays were:

Senators Arnold, Dwelle, Gallup, Hartshorn, Hersey, Lovell, McCoid, McCormack, Miller of Black Hawk, Murphy, Nichols, Pease, Rumble, and Woolson—14.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Miller of Appanoose, and Rother—5.

So the joint resolution was indefinitely postponed.

COMMITTEE REPORT.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully

report that they have this day presented to the Governor for his approval S. F. No. 86, An act to amend chapter 2, title 16 of the Code, relating to probate of wills.

S. F. No. 55, An act to amend chapter 7, title 14 of the Code, in relation to assignments for the benefit of creditors.

Also, joint resolution in relation to a modification of the homestead law.

Also, joint resolution in relation to a proposed canal from some point between the mouth of Rock river and Clinton, Iowa, on the Mississippi river, to the Illinois river at Hennepin.

HARMON, *Chairman*.

Senator Perkins moved to adjourn.

The motion prevailed, and at 5:10 the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 24, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. W. H. W. Rees.

On motion of Senator Young, the reading of yesterday's journal was dispensed with.

REPORT OF COMMITTEE.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred the question relating to resumption of the McGregor & Missouri land grant, have instructed me to report that in the opinion of a majority of the committee it is necessary to resume the grant in order to make new conditions binding.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

PETITIONS AND MEMORIALS.

By Senator Bestow: A memorial from citizens of Lucas county, asking that congress be requested to abolish the use of stamps on bank checks.

Referred to Committee on Banks.

Also, two petitions from citizens of Lucas county, asking for a law prohibiting railroad trains from running on the Sabbath.

Referred to Committee on Railroads.

By Senator Bailey: A petition from citizens of Howard county, asking for the continued enactment of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Rother: A petition from citizens of Keokuk, asking for the passage of a law for the better protection of creditors.

Referred to Committee on Judiciary.

By Senator Miller of Black Hawk: A petition from citizens of Waterloo, asking that the so-called McGregor Western Railroad land grant be given to the Iowa, Dakota and Black Hills Railway Company.

Referred to Committee on Railroads.

By Senator Larrabee: A petition from citizens of Fayette county, praying for an amendment to the State Constitution, prohibiting the use of public funds for the use of parochial school and religious purposes.

Passed on file.

By Senator Rumble: A petition from citizens of Iowa county, asking that the present railroad tariff law be not repealed.

Referred to Committee on Railroads.

By Senator Harmon: A similar petition from citizens of Buchanan county, which was referred to same committee.

By Senator Merrell of Clinton: A like petition from citizens of Clinton county, which was given a like reference.

By Senator Dwelle: A similar petition from citizens of Cerro Gordo county, which was referred to the same committee.

By Senator Stoneman: A petition from engineers of Clayton county, asking for a law regulating the inspection of steam boilers and engineers.

Referred to the Committee on Internal Improvements.

By Senator Pease: A petition from citizens of Van Buren county, praying for a law to prohibit railroad trains from running on the Sabbath.

Referred to the Committee on Railroads.

Also, A petition from citizens of the same county, asking for the continued enactment of the present liquor law.

Referred to the Committee on Suppression of Intemperance.

By Senator Thornburg: A petition from citizens of Linn township, Dallas county, asking that church property be taxed.

Referred to the Committee on Ways and Means.

By Senator Hersey Two petitions from citizens of Delaware county, praying that the present railroad tariff law be not repealed.

Referred to the Committee on Railroads.

Also, a petition from citizens of the same county, asking for a law making a legal wire fence.

Referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

By leave, Senator Stoneman, introduced S. F. No. 227, A bill for an act to amend section 2117 of the Code, relating to assignments for the benefit of creditors.

Read first and second time, and referred to the Committee on Judiciary.

SPECIAL ORDER.

The hour having arrived for the consideration of S. F. No. 136, A bill for an act to amend section 1555 of the Code, the bill with the report of the committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Jessup moved to amend by striking out the word "of" in fifth line, and insert in fifth line after the word "sale" "or giving away any such."

The amendment prevailed.

Senator Rotherth moved to strike out the words in third line "including all manner of wines and beer."

Senator Teale offered a substitute for the bill, which the Senate refused to adopt.

Senator Woolson was excused.

On the adoption of the amendment offered by Senator Rotherth, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Clark, Cooley, Hebard, Hitchcock, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Pease, Perkins, Rotherth, Rumble, Shane, Stoneman, Teale, Willett, Williams, Wilson, Wonn, and Young—26.

The nays were:

Senators Bailey, Campbell, Conaway, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, McCoid, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Thornburg, Wood, and Wright—20.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the amendment was adopted.

On motion of Senator Jessup the eleventh rule was suspended and the bill read a third time.

Senator Perkins moved to reconsider the vote by which the eleventh rule was suspended and the bill read a third time.

The motion was lost.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Rumble, Shane, Teale, Thornburg, Williams, and Wood—25.

The nays were:

Senators Bestow, Cooley, Hartshorn, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Pease, Perkins, Rotherth, Stoneman, Willett, Wilson, Wonn, Wright, and Young—21.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the bill having failed to receive a constitutional majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of Senate is asked.

H. F. No. 15, A bill for an act to amend section 1725, of chapter 9, of the Code.

H. F. No. 45, A bill for an act to amend section 1774, of chapter 9, title 12 of the Code.

H. F. No. 90, A bill for an act to amend section 1055 of the Code.

H. F. No. 103, A bill for an act to amend sections 240, and 241 of the Code.

H. F. No. 121, A bill for an act appropriating \$550.50 in payment of the claim of E. Blakesley.

H. F. No. 196, A bill for an act relating to life insurance.

H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts.

H. F. No. 207, A bill for an act to amend chapter 6, title 13 of the Code.

H. F. No. 394, A bill for an act to amend chapter 34, of the Code.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa.

BEN. VAN STEINBURG,
Assistant Clerk.

SPECIAL ORDER.

The special order, being the resolution offered by Senator Campbell, relative to the repeal of the present railroad tariff law, was taken up and considered.

Senator Cooley moved to lay the resolution on the table, and that the Committee on Railroads be instructed to report what action, if any, is necessary in relation to the subject matter of said resolution.

Senator McCoid moved to indefinitely postpone the resolution.

The motion of Senator Cooley was divided, and on the motion to lay upon the table the yeas and nays were demanded, and the yeas were:

Senators Cooley, Jessup, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Nichols, Perkins, Rothert, and Wonn—10.

The nays were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Larrabee, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumple, Shane, Thornburg, Willett, Williams, Wilson, Wood, Wright, and Young—33.

Absent or not voting:

Senators Bailey, Carr, Dashiell, Dows, Stoneman, Teale, and Woolson—7.

So the motion to lay upon the table was lost.

The question then recurring upon the second proposition, to recommit the bill, with instructions, Senator Hartshorn offered the following

amendment, which was adopted: "That the Railroad Committee are hereby instructed to report bills for such amendments to the statutes as in their opinion will tend to promote justice and the general welfare of the State."

The motion as amended was then adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith transmit for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 374, A bill for an act to provide for the payment of the expenses of the committees appointed to visit the various State institutions, and for other purposes.

J. W. LOGAN, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder.

H. F. No. 374, An act to provide for the payment of the committees appointed to visit the various State institutions, and for other purposes, and find the same correctly enrolled.

HARMON, *Chairman.*

Senator Willett, from the Committee on Judiciary, introduced S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

Read first and second time.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rumples, Shane, Stone-man, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Dwelle, Murphy, Nichols, Rothert and Woolson—8.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 229, A bill for an act to compel township clerks to post up statement of receipts and disbursements at each general election.

Read first and second time, and referred to the Committee on County and Township Organizations.

H. F. No. 394, A bill for an act to amend chapter 34 of the local laws of the Fifteenth General Assembly.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 196, A bill for an act relating to life insurance and to prevent injustice to the assured.

Read first and second time, and referred to the Committee on Insurance.

H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claim of E. Blakesley.

Read first and second time, and referred to the Committee on Claims.

H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code.

Read first and second time, and referred to the Committee on Ways and Means.

Substitute for H. F. No. 90, A bill for an act to amend section 1055 of the Code and to further define the duties of Adjutant General.

Read first and second time, and referred to the Committee on Military Affairs.

H. F. No. 103, A bill for an act to amend sections 240 and 241 of the Code, chapter 10, title 3, in relation to jurors.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 15, A bill for an act to amend section 1725 of chapter 9, of the Code.

Read first and second time, and referred to the Committee on Schools.

H. F. No. 207, A bill for an act to amend chapter 6, title 13 of the Code.

Read first and second time, and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S F. No. 168, A bill for an act relating to evidence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 110, A bill for an act to change the name of Petersburg, in Keokuk county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that the power to enact such a law being somewhat questionable—and there being applications from several sources for legislation of the same character, it was thought advisable to provide for cases of this character by a general law, which is provided for by S. F. No. 150, reported back this day by your committee—they therefore recommend that the bill be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 191, A bill for an act providing for holding three terms annually of the district court in the Tenth Judicial District, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 353, A bill for an act to legalize the official acts of W. Z. H. Welton, a Justice of the Peace in and for Washington county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that the statement of facts in the preamble of the bill shows that the official acts of said Justice are legal, and no legislation is needed; they therefore recommend that the bill be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 150, A bill for an act to provide for the changing of names of incorporated towns and villages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 32, A bill for an act to restrain vagrants and common beggars, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 152, A bill for an act to repeal section 4560 of the Code, and to enact a substitute therefor, in relation to evidence in certain cases, beg leave to report that they have had the same under consider-

ation, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 149, A bill for an act to amend section 900 of chapter 2, title 6, of the Code, relating to sale of lands for taxes, and the interest acquired thereunder, by purchasers of United States, municipal, University, Agricultural College, swamp and township lands, burial grounds, fair grounds, public squares, public ornamental grounds, and the property of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for H. F. No. 61, A bill for an act in relation to evidence in action upon accounts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying amendments be adopted, and when so adopted, it do pass:

1st. Insert after "account" in sixth line "when the defendant has been personally served with the original notice thereon and the petition is duly verified."

2d. Strike out of the eighth line "duly verified separate from the petition."

3d. Strike out of the tenth line "pleading thereon," and insert in lieu thereof the word "petition."

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 78, A bill for an act to compel the recording of instruments, affecting title to real estate, and to prevent the use of forged papers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 204, A bill for an act to amend section 4465, chapter 29, title 25, Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Rummple, from the Committee on College for the Blind, submitted the following report:

MR. PRESIDENT:—Your Committee on College for the Blind, to whom was referred S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes, beg leave to report that they have had the same under consider-

ation, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. N. W. RUMPLE, *Chairman.*

Ordered passed on file.

PETITION.

By leave Senator McCoid presented a petition from Reed Wilkinson and 135 other citizens of Jefferson county, asking constitutional amendments in relation to public schools and public funds.

Referred to Committee on Constitutional Amendments.

By leave, Senator McCoid, introduced the following joint resolution proposing certain amendments to the Constitution in relation to public schools and public funds:

Be it Resolved by the General Assembly of the State of Iowa, That the following amendments to the Constitution of the State be and the same are hereby proposed:

SECTION 1. The free public school system shall forever be provided for and maintained by the General Assembly, and all the taxable property of the State shall forever contribute to the expenses of the same.

SEC. 2. All lands, moneys, funds, or other property donated to or received by the State or any public corporation thereof for public school, seminary, college, or university purposes, and the proceeds thereof shall be faithfully applied to the objects and purposes for which such gifts or grants were or shall be made.

SEC. 3. Neither the General Assembly nor any county, city, town, township, school district, or other public corporation, created by or existing under the laws of this State, or any part thereof, shall ever make any appropriation, loan, payment, advance, gift, grant, or other conveyance or transfer whatsoever, of any public money, lands, funds or other property, to found, support, sustain or aid any seminary, school, college or university, or other literary or scientific or other institution, owned or controlled, in whole or in part, by any church, religious, ecclesiastical, or sectarian organization or denomination, nor shall any appropriation, gift, grant or donation of any public funds or other public property ever be made to any such organization or denomination for any purpose whatever.

Resolved, That these resolutions are hereby referred to the General Assembly, to be chosen at the general election in 1877, and the Secretary of State shall cause the same to be published for three months previous to the time of said election, in one newspaper in each congressional district in the State.

Read first and second time, ordered printed, and referred to the Committee on Constitutional Amendments.

On motion of Senator Shane, S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes, was, with the report of the committee recommending its passage, taken up and considered.

Senator Shane moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—44.

The nays were:

Senator Conaway—1.

Absent or not voting:

Senators Carr, Dashiell, Dows, Nichols, and Woolson—5.

So the bill passed and the title was agreed to.

On motion of Senator Kinne the Senate, at 12:10 P. M., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

BILLS ON THIRD READING.

Joint resolution proposing to amend section 2, article 1 of the Constitution of the State of Iowa.

Senator Dows was excused.

Senator Teale moved a call of the Senate, which was seconded.

The roll was then called and Senators Bailey, Conaway, Dwelle, Hartshorn, Kinne, Nichols, and Rothert were found absent without excuse.

Senator Clark moved that further proceedings be dispensed with.

The motion was lost.

The Sergeant-at-Arms brought before the bar of the Senate, Senators Dwelle, Kinne, and Bailey, who were excused.

Senator Merrell of Clinton, moved that further proceedings under the call be dispensed with.

The motion was not agreed to.

The Sergeant-at-Arms brought Senator Rothert before the bar of the Senate. The Senator was excused.

The Sergeant-at-Arms appeared before the bar of the Senate with Senator Hartshorn, who was excused.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Graham, Hartshorn, Hebard, Hersey, Hitchcock, Kinne, Lovell, McCormack, Miller of Black

Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Shane, Stoneman, Teale, Williams, Wonn, Wood, and Wright—26.

The nays were:

Senators Bestow, Conaway, Cooley, Dwelle, Gallup, Gilmore, Harmon, Jessup, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Perkins, Rumble, Thornburg, Willett, Wilson, and Young—20.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the joint resolution passed and the title was agreed to.

On motion of Senator Kinne, S. F. No. 191, A bill for an act for holding three terms annually of the District Court in Allamakee county, in the Tenth Judicial District, with the report of the committee recommending its passage, was taken up and considered.

Senator Kinne moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the bill passed and the title was agreed to.

On motion of Senator Mitchell, H. F. No 285, A bill for an act for the relief of Mrs. Baldwin, with the report of the committee recommending its passage, was taken up and considered.

Senator Mitchell moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—45.

The nays were:

Senator Willett—1.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the bill passed and the title was agreed to.

On motion of Senator Hebard, S. F. No. 149, A bill for an act to amend section 900 of the Code of 1873, etc., was taken up and considered, with the report of the committee recommending that it do pass.

Senator Hebard moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Lovell and Woolson—5.

So the bill passed and the title was agreed to.

On motion of Senator Arnold, preamble and joint resolution requesting our members of Congress to procure the passage of an act modifying the act of Congress granting lands to Iowa for an Agricultural College, which had been made a special order for February 17th, was taken up and considered, with the report of the committee recommending its passage.

Senator Arnold moved to suspend the 11th rule and read the joint resolution a third time now.

The motion prevailed.

On the question, shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Larrabee, Miller of Appanoose, Teale, and Woolson—7.

So the joint resolution passed and the title was agreed to.

The Governor, by his private secretary, W. H. Fleming, presented the Senate a communication in writing, which was laid on the President's table.

BILLS ON SECOND READING.

S. F. No. 157, A bill for an act to amend sections 1727, 1745, and 1781, chapter 9, title 12 of the Code, by changing the legal age for admission to the public schools from five to six years, was taken up, with the recommendation of the committee that it do not pass, and on motion of Senator Cooley the bill was indefinitely postponed.

S. F. No. 158, A bill for an act to amend section 1766, chapter 9, title 12 of the Code, by placing Natural Philosophy and Elementary Drawing on the list of studies in which persons applying for certifi-

cates to teach shall be required to pass an examination, with the recommendation of the committee that the bill do pass, was taken up and considered.

Senator Cooley offered the following amendment, which was adopted: "Provided, that the provisions of this act shall not take effect until July 4, 1877."

Senator Rothert moved to suspend the eleventh rule and read the bill a third time now, which motion was adopted.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Conaway, Cooley, Dwelle, Gallup, Harmon, Hebard, Hersey, Hitchcock, McCoid, Merrell of Clinton, Miller of Appanoose, Rothert, Rumble, Willett, Williams, and Wright—20.

The nays were:

Senators Campbell, Gilmore, Graham, Hartshorn, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Shane, Stoneman, Teale, Thornburg, Wilson, Wonn, Wood, and Young—24.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the bill having failed to receive a constitutional majority did not pass.

Senator Miller of Black Hawk moved to reconsider the vote by which the bill was lost.

Senator Shane moved to lay the motion on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Campbell, Gilmore, Graham, Hartshorn, Kinne, Larrabee, Lovell, McCormack, Miginnis, Merrill of Wapello, Mitchell, Newton, Nichols, Perkins, Shane, Thornburg, Wilson, Woon, Wood, and Young—20.

The nays were:

Senators Arnold, Bailey, Bestow, Conaway, Cooley, Dwelle, Gallup, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCoid, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Rothert, Rumble, Stoneman, Teale, Willett, Williams, and Wright—25.

Absent or not voting:

Senators Carr, Dashiell, Dows, Clark, and Woolson—5.

So the motion to lay on the table did not prevail.

On the motion to reconsider the yeas and nays were demanded, and yeas were:

Senators Arnold, Bailey, Bestow, Clark, Conaway, Cooley, Dwelle, Gallup, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCoid, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Rothert, Rumble, Willett, Williams, and Wright—22.

The nays were:

Senators Campbell, Gilmore, Graham, Hartshorn, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Shane, Stoneman, Teale, Thornburg, Wilson, Wonn, Wood, and Young—24.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Woolson—4.

So the motion to reconsider did not prevail.

S. F. No. 84, A bill for an act amendatory of section 1766, chapter 9, title 12 of the Code, in relation to branches to be taught in common schools of the State, with the recommendation of the committee to indefinitely postpone, was taken up and the report of the committee concurred in.

S. F. No. 101, A bill for an act to amend section 3901 of the Code, with recommendation of committee that the bill be indefinitely postponed, was taken up, the Senate refusing to concur in the recommendation of the committee, Senator Willett offered a substitute for the bill and moved that the bill and substitute be referred to the Committee on Commerce.

The motion prevailed.

S. F. No. 196, A bill for an act in relation to text books in the common schools, with report of committee recommending indefinite postponement, was taken up and the report of committee concurred in.

H. F. No. 145, A bill for an act to repeal the following section of the Code, and enact substitutes therefor, viz: Section 985, title 7, chapter 2, in relation to powers and duties of road supervisors, with the report of the committee recommending its passage, was taken up.

On motion of Senator Maginnis the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Conaway, Cooley, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Nichols, Pease, Rothert, Rumple, Shane, Teale, Thornburg, Willett, Williams, and Young—27.

The nays were:

Senators Arnold, Clark, Gilmore, Graham, Jessup, Kinne, Larrabee, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Perkins, Stoneman, Wilson, Wonn, and Wood—16.

Absent or not voting:

Senators Carr, Dashiell, Dows, McCormack, Murphy, Woolson, and Wright—7.

So the bill passed and the title was agreed to.

S. F. No. 133, A bill for an act to amend section 3808 of the Code, was taken up with the report of the committee recommending it to be placed on file.

On motion of Senator Young, the bill was indefinitely postponed.

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to fees of township clerks, was taken up with the report of the committee recommending amendments, and the report of the committee adopted.

On motion of Senator Williams, the 11th rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis,

Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller, of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Willett, Williams, Wilson, Wood, Wright, and Young—42.

The nays were:

Senator Stoneman—1.

Absent or not voting:

Senators Carr, Conaway, Dashiell, Dows, Mitchell, Wonn, and Woolson—7.

So the bill passed and the title was agreed to.

S. F. No. 35, A bill for an act to repeal section 1288 of the Code of 1873, title 10, chapter 5, and to enact in lieu thereof, with the report of the committee, recommending that it do not pass, was taken up, and, on motion of Senator Campbell, the bill was indefinitely postponed.

H. F. No. 58, A bill for an act to repeal section 989, chapter 2, title 7 of the Code, and to enact a substitute therefor, in relation to the powers and duties of road supervisors, was taken up, with the report of the committee recommending its passage, and ordered engrossed.

Joint resolution proposing to amend section 13, article 5, of the Constitution of the State of Iowa, was taken up, with the report of the committee recommending the adoption of the following substitute, which was concurred in:

Substitute for joint resolution proposing to amend section 13 of article 5, of the Constitution of the State of Iowa:

Be it Resolved by the General Assembly of the State of Iowa:

SECTION 1. That the following amendment to the Constitution of this State is hereby proposed, viz:

Strike out section thirteen (13) of article five (5) of said Constitution, relating to the election of district attorneys.

Senator Merrell of Clinton moved to suspend the 11th rule and read the joint resolution a third time now.

The motion was agreed to.

On the question, shall the joint resolution pass, the yeas were:

Senators Bailey, Bestow, Campbell, Gallup, Gilmore, Harmon, Hartsborn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Pease, Perkins, Shane, Stoneman, Teale, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—31.

The nays were:

Senators Arnold, Conaway, Cooley, Dwelle, Graham, Hebard, McCoid, Miller of Appanoose, Murphy, Newton, Nichols, Rothert, Rumble, and Thornburg—14.

Absent or not voting:

Senators Carr, Clark, Dashiell, Dows, and Woolson—5.

So the joint resolution passed and the title was agreed to.

The President laid before the Senate a communication from the Governor, touching the contracts for prison labor.

The communication was ordered printed and referred to the Committee on Penitentiary.

On motion of Senator Shane, the Senate, at 5:05, P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 25, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. Telleen.

On motion of Senator Gilmore, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 416, A bill for an act providing for the payment of the claim of James Harvey.

H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, relating to township officers, and to enact a substitute therefor.

Also, joint resolution relating to a proposed amendment of the Constitution by striking the word "male" therefrom.

JAS. W. LOGAN, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Bestow: A petition from citizens of Lucas county, asking for a law prohibiting railroad trains from running on the Sabbath.

Referred to the Committee on Railroads.

By Senator Campbell: A petition from citizens of Jasper county, asking that the action of the Fifteenth General Assembly in regard to striking out the word "male" from the State Constitution, be ratified.

Referred to the Committee on Constitutional Amendments.

By Senator Thornburg: A like petition from citizens of Dallas county. Referred to same committee.

By Senator Hartshorn: A like petition from citizens of Humboldt county, which was given a like reference.

By Senator Hebard: A like petition from citizens of Page county, which was referred to same committee.

By Senator Harmon: A like petition from citizens of Buchanan county, which was given the same reference.

By Senator Jessup: A petition from citizens of Grundy and Hardin counties, asking for the modification of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Wood: Four petitions from citizens of Muscatine county, asking for the retention of the present railroad tariff law.

Referred to the Committee on Railroads.

Also, two petitions from the same county, asking for a judicious license law.

Referred to the Committee on Suppression of Intemperance.

By Senator Wilson: Two petitions from citizens of Washington county, asking that the present liquor law be retained.

Referred to the Committee on Suppression of Intemperance.

By Senator Stoneman: A petition from citizens of Clayton county, asking for the retention of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Miller of Appanoose: A petition from members of the Appanoose county Bar, asking that no change be made in the law regulating the pay of short hand reporters.

Passed on file.

By Senator Young: A petition from citizens of Cass county, praying for a judicious license law.

Referred to Committee on Suppression of Intemperance.

By Senator Rumble: A remonstrance against the repeal of section 3777 of the Code, or its alteration or modification.

Referred to Committee on Judiciary.

By Senator Woolson: A petition from citizens of Henry county, requesting the General Assembly to ratify the action of the Fifteenth General Assembly, in regard to submitting the proposition to the people to strike the word "male" out of the State Constitution.

Passed on file.

INTRODUCTION OF BILLS.

By Committee on Military: S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa, to the purchase by the United States, of certain real estate in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereon.

Read first and second time.

On motion of Senator Rothert, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, and Murphy—4.

So the bill passed and the title was agreed to.

By leave Senator Woolson, introduced S. F. No. 230, A bill for an act to provide for the publication of amendments proposed to the Constitution.

Read first and second time, and referred to the Committee on Judiciary.

By Committee on Municipal Corporations: S. F. No. 231, A bill for an act to amend sections 1060 and 1064 of the Code of 1873, in relation to corporations for pecuniary profit.

Read first and second time.

Senator McCoid moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Stoneman, and Teale—5.

So the bill passed and the title was agreed to.

By leave Senator Hersey introduced S. F. No. 232, A bill for an act to repeal section 379, chapter 9, title 4 of the Code of 1873.

Read first and second time, and referred to the Committee on County and Township Organizations.

Senator Willett was granted leave of absence until next Tuesday week.

Page Frank Lewis was excused on account of sickness.

SPECIAL ORDER.

The President announced that the hour for the special order had arrived, which was the consideration of S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, with the report of the committee recommending a substitute.

Senator Larrabee moved to postpone the special order for thirty minutes.

The motion prevailed.

REPORTS OF COMMITTEES.

Senator Cooley, from the Committee on Banks, submitted the following report:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred S. F. No. 201, A bill for an act to repeal section 915 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred

a House joint resolution relating to the currency of the country, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be laid on the table.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred the accompanying concurrent Senate resolution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

D. N. COOLEY, *Chairman.*

Ordered passed on file.

Senator Campbell moved to take up the resolutions relative to the specie resumption act.

The motion prevailed.

- The report of the committee on the joint resolution from the House, relative to the currency of the country, was first taken up and the resolution laid upon the table.

On the adoption of the report of the committee on the resolution of the Senate on the same subject, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Clark, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Rothert, Rumble, Stoneman, Wonn, Woolson, Wright, and Young—31.

- The nays were:

Senators Bestow, Campbell, Conaway, Hartshorn, Maginnis, Mitchell, Newton, Nichols, Teale, Thornburg, Williams, Wilson, and Wood—13.

Absent or not voting:

Senators Bailey, Carr, Dashiell, Dows, Shane, and Willett—6.

So the resolution was indefinitely postponed.

Senator Harmon from the Committee on Enrolled bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined

H. F. No. 32, A bill for an act to legalize the levy of certain taxes and to provide for the collection thereof,

H. F. No. 172, A bill for an act to amend section 765 of the Code in relation to the power of commissioners appointed by the Governor,

H. F. No. 264, A bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa at the Centennial Exposition.

And find the same correctly enrolled.

HARMON, *Chairman.*

Senator Arnold, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred substitute for H. F. No. 6, A bill for an act to amend chapter

43 of the Fourteenth General Assembly and for other purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the eighth section of said bill, and after the bill is so amended that the same do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred S. F. No. 173, A bill for an act to amend section 3049 of the Code of Iowa, title 18, chapter 2 of executions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 355, A bill for an act empowering cities of the first class to extend their corporate limits, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and so adopted that it do pass.

McCOID, *Chairman*.

Ordered passed on file.

Senator Graham, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa and amend chapter 50 of the laws of the Fifteenth General Assembly to enlarge and define the duties of fish commissioner and appropriate money to carry out the provisions of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred S. F. No. 3, A bill for an act to amend section 240, of chapter 10 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

Ordered passed on file, and the bill so referred.

Also the following:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred S. F. No. 148, A bill for an act providing a bounty for the destruction of hawks, crows, and owls, and for the protection of game and domestic fowls, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. GRAHAM, *Chairman*.

Ordered passed on file.

Senator Shane was excused.

On motion of Senator Hebard H. F. No. 355, A bill for an act empowering cities of the first class to extend their corporate limits, with the report of the committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Senator Hebard moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Shane, and Willett—5.

So the bill passed and the title was agreed to.

On motion of Senator Merrell of Clinton, the special order was postponed until 2 o'clock this afternoon.

On motion of Senator Jessup, H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the Reform School investigation, was taken up, with the recommendation of the committee that it do pass.

Senator Jessup moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Carr, Dashiell, Dows, Shane, and Willett—5.

So the bill passed and the title was agreed to.

On motion of Senator Perkins, S. F. No. 173, A bill for an act to amend section 3049 of the Code of Iowa, (title 18, chapter 2, of executions) was taken up and considered, with the recommendation of the committee that it do pass.

Senator Perkins moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey,

Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were:

Senator Kinne—1.

Absent or not voting:

Senators Carr, Dashiell, Dows, Shane, and Willett—5.

So the bill passed and the title was agreed to.

On motion of Senator Graham, H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of the Fish Commissioner, and appropriate money to carry out the provisions of this act, was taken up and considered, with the report of the committee recommending its passage.

Senator Cooley moved to strike out all of section 2, down to and including the word "State," in the 6th line.

Pending which the Senate, on motion of Senator Wilson, at 12 m., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

Senator Hartshorn moved a call of the Senate, which was seconded.

The roll was then called, and Senators Conaway, McCoid, and Teale, were found absent without leave.

The doors were closed and the sergeant-at-arms was ordered to bring in the absentees.

The sergeant-at arms presented Senators Teale, McCoid, and Conaway, before the bar of the Senate. The Senators were all excused.

SPECIAL ORDER.

S. F. No. 5 was then taken up and considered.

Senator Woolson moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Conaway, Dwelle, Harmon, Hebard, Hersey, Hitchcock, Jessup, Lovell, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Wood, Woolson, and Wright—23.

The nays were:

Senators Bailey, Bestow, Campbell, Clark, Cooley, Dows, Gallup, Gilmore, Graham, Hartshorn, Kinne, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Nichols, Pease, Stoneman, Williams, Wilson, Wonn, and Young—24.

Absent or not voting:

Senators Carr, Dashiell, and Willett—3.

So the motion to indefinitely postpone did not prevail.

Senator Larrabee moved to engross the bill and read it a third time on Thursday next, March 2d, at 10½ o'clock.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were:

Senator Shane—1.

Absent or not voting:

Senators Carr, Dashiell, and Willett—3.

So the bill was ordered engrossed, and read a third time on Thursday, March 2, at 10½ o'clock.

Senator Young was excused.

On motion of Senator Miller of Black Hawk, the Senate at 4:40 P. M. adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 26, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Dr. Miles.

On motion of Senator Graham, the reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Perkins: A memorial from citizens of Sioux City, asking for the passage of better collection laws to protect wholesale merchants and manufacturers.

Referred to the Committee on Judiciary.

By Senator Jessup: A petition from citizens of Iowa Falls, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Hartshorn: A like petition from citizens of Webster county.

Referred to Committee on Railroads.

By Senator Graham: A petition from citizens of Warren county, asking for the re-enactment of the death penalty.

Referred to Committee on Judiciary.

By Senator Murphy: A petition from citizens of Scott county, asking for three per cent. tax on the assessed value of property to assist in building railroads.

Referred to Committee on Railroads.

By Senator Rothert: A memorial from the members of the Keokuk county bar, asking for the establishment of criminal courts in those parts of the State where public interests demand.

Referred to Committee on Judiciary.

By Senator Arnold: A petition from the Woman's Christian Temperance Union, praying that the present liquor law be not disturbed.

Referred to Committee on Suppression of Intemperance.

By Senator Larrabee: A petition from citizens of Fayette county, asking that the present railroad tariff law be not repealed.

Referred to Committee on Railroads.

By Senator Nichols: A petition from citizens of Guthrie county, asking that the present railroad tariff law be repealed.

Referred to Committee on Railroads.

By Senator Dwelle: A memorial from the Keokuk County Bar, in favor of the division of the Fourth Judicial District.

Referred to Committee on Judicial Districts.

Senator Gilmore was excused on account of sickness.

INTRODUCTION OF BILLS.

By Committee on Insurance: S. F. No. 233, A bill for an act to amend section 1144 of chapter 4, of title 9 of the Code relating to fire insurance companies.

Read first and second time.

Senator Cooley moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

The question being shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rumble, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—42.

The nays were:

Senathor Rothert—1.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Willett, and Young

—7.

So the bill passed and the title was agreed to.

By leave Senator Shane introduced S. F. No. 234, a bill making further appropriations for the College for the Blind.

Read first and second time, and referred to the Committee on Appropriations.

By leave Senator Clark introduced S. F. No. 235, A bill for an act to regulate judicial sales and conveyances under University Fund mortgage foreclosure and judgment, and the sale of property acquired.

Read first and second time and referred to the Committee on Judiciary.

RESOLUTIONS.

Senator Woolson offered the following resolution, which was adopted:

Resolved, That upon Thursday, March 2, at 10:50 A. M., the Senate will proceed to elect a President *pro tem*.

Senator Hartshorn offered a joint resolution, proposing to amend section 10, article 5 of the Constitution of the State of Iowa.

Read first and second time, ordered printed, and referred to Committee on Constitutional Amendments.

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 145, A bill for an act to repeal section 985, title 7, chapter 2 of the Code, and enact a substitute therefor.

Also, H. F. No. 285, A bill for an act for the relief of Mrs. Molinda Baldwin, of Polk county, Iowa, and find the same correctly enrolled.

HARMON, *Chairman*.

HOUSE MESSAGES.

H. F. No. 416, A bill for an act providing for the payment of the claims of Jas. Harvey.

Read first and second time, and referred to the Committee on Claims.

H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, relating to township officers, and to enact a substitute therefor.

Read first and second time, and referred to the Committee on County and Township Organizations.

Joint resolution agreeing to a proposed amendment of section 1 of article 2, and section 4 of article 3 of the Constitution of the State of Iowa.

Read first and second time, and passed on file.

REPORTS OF COMMITTEES.

Senator Clark, from the Committee on State University, submitted the following report:

MR. PRESIDENT:—Your Committee on State University, to whom was referred S. F. No. 225, A bill for an act to repeal section 209 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 2 be stricken out, and when so amended it do pass.

E. CLARK, *Chairman.*

Ordered passed on file.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with and injury to the property of railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 183, A bill for an act to regulate and enforce reciprocity between express companies doing business in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Harmon, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Reform Schools, to whom was referred S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm at Salem, Lee county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Also, that it be referred to the Committee on Appropriations.

Ordered passed on file, and bill so referred.

Also, the following:

MR. PRESIDENT:—Your Committee on Reform Schools, to whom was recommended S. F. No. 63, A bill for an act to amend chapter 5 of the Code of 1873, and add thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

The committee do not recommend the proposed amendment.

HARMON, *Chairman.*

Ordered passed on file.

Senator Hartshorn, from the Committee on Judicial Districts, submitted the following report:

MR. PRESIDENT:—Your Committee on Judicial Districts, to whom was referred S. F. No. 159, A bill for an act creating the Fourteenth Judicial District and providing for the election of district and circuit court judges and a district attorney therein, and changing the boundaries of the Fourth, Eleventh, and Thirteenth Judicial Districts, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate the enclosed substitute with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Rothert, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 118, A bill for an act to abolish the office of school district treasurer, and to provide for the direct disbursement of school fund by the county treasurer, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 15, A bill for an act to amend title 12, chapter 8, of the Code, relating to county high schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "hundred" in the third line and inserting the word "tenth" in lieu thereof, also, to amend by striking out the words "then or when said board in its discretion shall deem proper" in the fourth and fifth lines, and when so amended that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 45, A bill for an act to amend section 1774, chapter 9, title 12 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT:—Your Committee on Horticulture and Forestry, to whom was referred a memorial of the Iowa State Horticultural Society, asking for an appropriation of \$3,140, for specific purposes stated in the memorial, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that so much of the appropriation made by this General Assembly for the centennial as is necessary, be set apart for the purposes in the memorial.

Ordered on passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Horticulture and Forestry, to whom was referred S. F. No. 197, A bill for an act to repeal section 798 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. DWELLE, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 127, A bill for an act to authorize the sale of lands and lots for taxes in certain cases, for an amount less than the full amount of taxes, interest, and costs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: add to section 1, "and in case of redemption of any real estate sold under the provisions of this act, the purchaser shall only receive the amount paid and a pro-rata proportion of the penalty, interest, and costs." And in section 2, 2nd line, strike out "paid for" and insert "due on."

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred S. F. No. 111, A bill for an act to repeal section 982, chapter 2, title 7, of the Code of 1873, in relation to expenditures for highway tax and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file

Senator Murphy, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred S. F. No. 30, A bill for an act to authorize cities to provide for the construction of sewers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. MURPHY, *for the Committee*.

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 31, A bill for an act to amend section 518 of the Code in relation to the duties of mayors of cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred S. F. No. 189, A bill for an act to legalize the issue of certain land warrants in Lyon township, Lyon county, Iowa, and provide for the payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville and its ordinances and the acts of its officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed.

M. A. MCCOID, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 163, A bill for an act to amend section 2900 of the Code of 1873, in relation to offers to compromise, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 181, A bill for an act to provide for issuing of executions by a justice of the peace into other counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 199, A bill for an act to amend section 796, chapter 1, title 6, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 198, A bill for an act to amend sections 4026 and 4028 of the Code of Iowa, relating to gambling houses, and gambling and betting, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was re-

ferred S. F. No. 218, A bill for an act to amend section 482 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814, Code, relating to fees of witnesses, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the fifth paragraph of said section 3814, relating to experts, be amended by adding thereto the following: "*Provided*, That such additional compensation so fixed shall not exceed five dollars per day while so employed."

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 207, A bill for an act to amend chapter 6, title 13 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "taking effect" in the last line of the first page, and insert in lieu thereof the word "passage," and when so amended that it do pass.

McCROID, *for the Committee.*

Ordered passed on file.

On motion of Senator Murphy, S. F. No. 30, A bill for an act to authorize cities to provide for the construction of sewers, was taken up and considered, with the report of the committee recommending its passage.

On motion of Senator Murphy, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—42.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Kinne, Willett, and Young—8.

So the bill passed, and the title was amended so as to read, "A bill for an act to authorize cities organized under special charters to provide for the construction of sewers."

BILLS ON THIRD READING.

H. F. No. 58, A bill for an act to repeal section 989, chapter 2 of title 7 of the Code, and to enact a substitute therefor, in relation to the powers and duties of road supervisors.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Cooley, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumpel, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood and Wright—38.

The yeas were:

Senators McCoid, and Woolson—2.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Dwelle, Gilmore, Kinne, Perkins, Willett, and Young—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill with amendments:

S. F. No. 59, A bill for an act to amend section 289 and section 290 of the Code, with the following amendments: "Strike out the words "of 1873," in the title, and the words, "of 1873," in the enacting clause. Also, the following words: "Any members of a board of supervisors voting to order an issue of bonds under this act in excess of the constitutional limit, shall be held personally liable for the excess of such issue," in which amendments the concurrence of the Senate is asked.

J. J. FLYNN,

Second Assistant Clerk.

Senator Stoneman moved that the Sergeant-at-Arms be excused to attend a trial in court in Delaware county.

The Senate refused to excuse the Sergeant-at-Arms.

BILLS ON SECOND READING.

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of fish commissioners, and appropriate money to carry out the provisions of this act.

Senator Maginnis moved to strike out of second line, in section 3, "1,000," and insert "2,000," and to strike out the words in the first line, "have the power to."

The motion was lost.

Senator Teale moved to strike out the third section of the bill.

The motion did not prevail.

Senator Larrabee moved to strike out of 4th section the word "dam" after the word "any" in second line.

The motion was lost.

Senator Cooley moved to strike out of second line, in section 7, the word "ten" and insert "five."

On this question the yeas and nays were demanded, and the yeas were:

Senators Campbell, Conaway, Cooley, Gallup, Harmon, McCormack, Maginnis, Newton, Pease, Shane, Stoneman, Thornburg, Wilson, Wood, and Woolson—15.

The nays were:

Senators Arnold, Bailey, Clark, Dwelle, Graham, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Perkins, Rumble, Williams, Wonn, and Wright—24.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Kinne, Mitchell, Rothert, Teale, Willett, and Young—11.

So the motion to strike out did not prevail.

Senator Merrell of Clinton moved to strike out the words "ten thousand" and insert "seven thousand five hundred," wherever the words "ten thousand" occur in the 7th section.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dwelle, Gallup, McCoid, McCormack, Maginnis, Merrell of Clinton, Mitchell, Newton, Pease, Rothert, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, and Woolson—22.

The nays were:

Senators Clark, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Perkins, Rumble, Wonn, Wood, and Wright—20.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Kinne, Willett, and Young—8.

The motion prevailed.

Senator Stoneman moved to strike out of the third line of section 4 the words "hinder or obstruct the" and insert "prevent."

The motion prevailed.

Senator Teale, moved to strike out all after the word "commissioner" in fourth line in 4th section down to and including the word "State in the sixth line."

The motion was disagreed to.

Senator Woolson moved to strike out sections 14 and 15.

The motion did not prevail.

Senator Cooley moved to change the word "commissioners" to "commissioner" wherever found except in section 14.

The motion prevailed.

On motion of Senator Merrill of Wapello, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rotherbert, Rumble, Shane, Teale, Thornburg, Williams, Wonn, Wood, Woolson, and Wright—36.

The nays were:

Senators Campbell, Newton, Stoneman, and Wilson—4.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Kinne, McCormack, Maginnis, Willett, and Young—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes for the insane, and to provide for the collection thereof.

H. F. No. 145, A bill for an act to repeal the following section of the Code and enact a substitute therefor: Section 985.

H. F. No. 172, A bill for an act to amend section 765 of the Code in relation to the power of commissioners appointed by the Governor.

H. F. No. 264, A bill for an act to appropriate money to aid in establishing the resources and products of the State of Iowa, at the Centennial Exposition.

H. F. No. 285, A bill for an act for the relief of Mrs. Molinda Baldwin, of Polk county, State of Iowa.

BEN. VAN STEINBURG,
Second Assistant Clerk.

On motion of Senator Bailey, S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest and costs due thereon, was taken up with the report of the committee recommending amendments, and the report of the committee concurred in.

Senator Bailey moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell,

Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—40.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Jessup, Kinne, Willett, and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Hebard bills on third reading were taken up.

S. F. No. 59, A bill for an act to amend section 289 and section 290 of the Code, title 4, chapter 1 of counties.

On the question of concurring in the first and second House amendments to the bill, the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Shane, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—40.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Kinne, Stoneman, Willett, and Young—10.

So the Senate concurred in the first and second House amendments to the bill.

On concurring in third House amendment to the bill, the yeas were:

Senators Campbell, Conaway, Dwelle, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Perkins, Rumple, and Thornburg—16.

The nays were:

Senators Arnold, Bailey, Cooley, Gallup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Newton, Pease, Rothert, Shane, Stoneman, Teale, Williams, Wilson, Wonn, Wood, Woolson, and Wright—24.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Hartshorn, Kinne, Willett, and Young—10.

So the Senate refused to concur in the third House amendment to the bill.

Senator Larrabee moved to reconsider the vote by which substitute S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, was ordered engrossed, and to make the consideration of the motion a special order for Thursday, March 2, at 10:30 o'clock.

The motion was agreed to.

Senator Miller of Black Hawk, moved to reconsider the vote by which the Senate refused to concur in the third House amendment to S. F. No. 59.

Senator Merrell of Clinton, moved to lay that motion on the table.

On motion of Senator Merrill of Wapello, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Shane, Teale, Thornburg, Williams, Wonn, Wood, Woolson, and Wright—36.

The nays were:

Senators Campbell, Newton, Stoneman, and Wilson—4.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Gilmore, Kinne, McCormack, Maginnis, Willett, and Young—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 10, A bill for an act to legalize the incorporation of the town of Marysville, Marion county, Iowa.

H. F. No. 32, A bill for an act to legalize the levy of certain taxes for the insane, and to provide for the collection thereof.

H. F. No. 145, A bill for an act to repeal the following section of the Code and enact a substitute therefor: Section 985.

H. F. No. 172, A bill for an act to amend section 765 of the Code in relation to the power of commissioners appointed by the Governor.

H. F. No. 264, A bill for an act to appropriate money to aid in establishing the resources and products of the State of Iowa, at the Centennial Exposition.

H. F. No. 285, A bill for an act for the relief of Mrs. Molinda Baldwin, of Polk county, State of Iowa.

BEN. VAN STEINBURG,
Second Assistant Clerk.

On motion of Senator Bailey, S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest and costs due thereon, was taken up with the report of the committee recommending amendments, and the report of the committee concurred in.

Senator Bailey moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell,

Murphy, Newton, Nichols, Pease, Perkins, Rotherth, Rumple, Shane, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—40.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Jessup, Kinne, Willett, and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Hebard bills on third reading were taken up.

S. F. No. 59, A bill for an act to amend section 289 and section 290 of the Code, title 4, chapter 1 of counties.

On the question of concurring in the first and second House amendments to the bill, the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rotherth, Rumple, Shane, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—40.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Kinne, Stoneman, Willett, and Young—10.

So the Senate concurred in the first and second House amendments to the bill.

On concurring in third House amendment to the bill, the yeas were:

Senators Campbell, Conaway, Dwelle, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Perkins, Rumple, and Thornburg—16.

The nays were:

Senators Arnold, Bailey, Cooley, Gallup, Larrabee Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Newton, Pease, Rotherth, Shane, Stoneman, Teale, Williams, Wilson, Wonn, Wood, Woolson, and Wright—24.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Gilmore, Hartshorn, Kinne, Willett, and Young—10.

So the Senate refused to concur in the third House amendment to the bill.

Senator Larrabee moved to reconsider the vote by which substitute S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, was ordered engrossed, and to make the consideration of the motion a special order for Thursday, March 2, at 10:30 o'clock.

The motion was agreed to.

Senator Miller of Black Hawk, moved to reconsider the vote by which the Senate refused to concur in the third House amendment to S. F. No. 59.

Senator Merrell of Clinton, moved to lay that motion on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Cooley, Gallup, Harmon, Hersey, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Pease, Shane, Teale, Williams, Wonn, Woolson, and Wright—19.

The nays were:

Senators Campbell, Clark, Conaway, Graham, Hebard, Hitchcock, Jessup, Lovell, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumples, Stoneman, Thornburg, Wilson, and Wood—21.

Absent or not voting:

Senators Bestow, Carr, Dashiell, Dows, Dwelle, Gilmore, Hartshorn, Kinne, Willett, and Young—10.

So the motion to lay upon the table did not prevail.

The question recurring on the motion to reconsider, the yeas and nays were demanded, and the yeas were:

Senators Conaway, Dwelle, Graham, Hartshorn, Hebard, Hitchcock, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Perkins, Rumples, and Thornburg—12.

The nays were:

Senators Arnold, Bailey, Clark, Cooley, Gallup, Harmon, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Mitchell, Newton, Nichols, Pease, Rothert, Shane, Stoneman, Teale, Williams, Wilson, Wood, Wonn, Woolson, and Wright—28.

Absent or not voting:

Senators Bestow, Campbell, Carr, Dashiell, Dows, Gilmore, Kinne, Murphy, Willett, and Young—10.

So the motion to reconsider did not prevail.

At 12:45 the Senate, on motion of Senator Jessup, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 28, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Fording.

On motion of Senator Merrell of Clinton, the reading of Saturday's journal was dispensed with.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Perkins: A petition from the citizens of Northwestern Iowa, asking that a law be enacted enabling cities and townships having heretofore voted aid to railroad companies to revoke the same.

Referred to Committee on Railroads.

By Senator Murphy: A memorial from the grand jury of Scott county, in relation to intemperance.

Referred to Committee on Suppression of Intemperance.

By Senator Dows: A petition from citizens of Benton county, asking that the present liquor law be not repealed.

Referred to Committee on Suppression of Intemperance.

Also a like petition from the citizens of Linn county.

Referred to same committee.

Also a like petition from the citizens of Page county.

Referred to same committee.

Also a like petition from the citizens of Clinton county.

Referred to same committee.

Also a similar petition from the citizens of Oskaloosa and Mahaska county.

Referred to same committee.

Also a similar petition from the citizens of Adams county.

Referred to same committee.

Also a like petition from the citizens of Carroll and Carroll county.

Referred to same committee.

Also a similar petition from the citizens of Dallas county.

Referred to same committee.

Also a like petition from the citizens of Clarinda, Page county.

Referred to same committee.

Also a similar petition from the citizens of Osage, Mitchell county.

Referred to same committee.

Also a like petition from the citizens of Mitchell county.

Referred to same committee.

Also a similar petition from the citizens of Taylor county.

Referred to same committee.

Also a like petition from the citizens of Buchanan county.

Referred to same committee.

Also a similar petition from the citizens of Muscatine county.

Referred to same committee.

Also a like petition from the citizens of Montgomery county.

Referred to same committee.

Also a petition from the citizens of Muscatine county, asking that a law be enacted to prevent the running of railroad trains on the Sabbath.

Referred to Committee on Railroads.

By Senator Dashiell: A petition from the members of the Monroe county bar, protesting against the repeal of the law regulating the fees of short-hand reporters.

Referred to Committee on Judiciary.

Also a petition from the citizens of Wayne county, asking that townships be authorized to vote a five per cent. tax in aid of railroad construction.

Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Senator Murphy, from the Committee on the Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—A minority of your Committee on the Suppression

of Intemperance, to whom was referred S. F. No. 145, A bill for an act to repeal parts of chapter 6, of title 11 of the Code, pertaining to intoxicating liquors, and to regulate the manufacture and sale thereof, beg leave to report that they have had the same under consideration, and a small minority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass. And we assign the following reasons for the faith that is within us:

First. Because the present Maine liquor law has failed to accomplish the end for which it was enacted, and this conclusion is found in the fact that liquor is sold in nearly every village, town, and city in the State, and in the further fact that the records of our courts show that intemperance, and consequently crime, have increased rather than decreased.

Second. Because secret drinking is encouraged by it, and this is the worst type of drinking. It converts drug-stores into dram-shops, and makes of otherwise good and respectable men, hypocrites, sneaks and liars, in the purchase of liquor.

Third. It cripples the power of the State to suppress nuisance and to check intemperance, by paying a premium for blackmailing, and placing the dealers who are desirous of keeping orderly places at the mercy of drunken rowdies and infamous scoundrels.

Fourth. Because it induces men to be dishonest by encouraging lying and false swearing and engenders bad faith among the people by making debts for the sale of liquors uncollectable, thereby giving a license to swindlers.

Fifth. Because it encourages bad and irresponsible men to engage in the traffic of liquor and tends to drive out of the business men who would keep orderly houses and who if not subjected to blackmailing spies would themselves aid in the suppression of intemperance.

Sixth. Because it presents the anomaly in legislation of taxation without protection, and because of the further anomaly of holding the dealer responsible instead of the real offender.

Seventh. It makes a farce of our courts by its unwise, unjust, and impracticable provisions.

Eighth. Because it checks the growth and prosperity of our State by discouraging emigration, by discouraging the establishing of distilleries, and sending from our State millions of dollars annually for the purchase of liquors which are consumed herein, by taking from the State a large revenue which would be derived from license and thereby lighten the burden of taxation.

Ninth. Because it is in contravention to the provisions of the constitution and the spirit of the declaration, which guarantees to every citizen personal freedom and protection with taxation.

And for the following reasons and the statement of facts and figures hereto appended, we are in favor of a judicious license law.

First. A license law, in our judgment, would aid the advancement of true and genuine temperance. It would stop, to a great extent, the pernicious habit of secret drinking and thereby abolish the practice of buying liquors by the pint and quart, to be drank in immoderate quantities in alleys and behind wood piles. It would drive out of existence (as has been witnessed in Boston where under a license law there are 1,800 saloons less now in that city than formerly) the low groggeries and miserable death dealing rum holes.

Second. Because none but men of good repute, honorable and responsible could engage in the traffic, and they could refuse to drunken men liquors without subjecting themselves to blackmail for such refusal.

Third. Because it would bring the real offenders to justice, and make drunkards and drunkenness and not the traffic a crime, thereby checking intemperance, immorality and crime.

Fourth. Because it would restore the ancient dignity of the courts, and impress the people with the supremacy and majesty of the law.

Fifth. Because experience has taught us the utter impossibility to stop the consumption of liquors, and the workings of the prohibitory liquor law has failed in any degree to check or even regulate the sale and use of the same.

TABLE SHOWING AMOUNT THE STATE WOULD GAIN BY AN EFFICIENT
LICENSE LAW.

Amount of highwines and alcohol imported from other States into Iowa annually, 41,300 barrels, for which there is paid.....	\$3,018,000.00
To manufacture these liquors would require the erection of distilleries costing about \$4,000,000, upon which the State and county would be at least.....	100,000.00
Amount that would be paid to 1,000 workmen annually that would be employed in these distilleries at two dollars per day.....	600,000.00
Amount that would be paid for cooperage.....	82,000.00
Amount of corn and rye used in the manufacture of these highwines, 750,000 bushels, upon which there would be saved to the farmers of Iowa ten cents per bushel on freight, making.....	75,000.00
Amount that would be realized by licensing 4,000 saloons, breweries, and distilleries, averaging \$100 each.....	400,000.00
Amount that would be saved to the State by stopping useless prosecutions against liquor dealers.....	500,000.00
Amount that would be gained by exporting highwines and alcohol, if manufactured in this State, at least.....	1,000,000.00
Amount that would be saved by fattening hogs and cattle on still slop.....	1,000,000.00

Total amount gained to the people and the State of Iowa, without the least increase of intemperance..... \$7,619,000.00
Enough to built three State Capitols each year.

J. H. MURPHY,
SAMUEL H. KINNE,
Committee.

Ordered printed and passed on file.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise on County and Township Officers, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended in the fourth line after

the word "officers" by adding the following words: "Or such other treatise of a similar character as they deem necessary," and so amended that it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts and disbursements at each general election, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined,

H. F. No. 285, An act for the relief of Mrs. Molinda Baldwin of Polk county, State of Iowa.

H. F. No. 264, An act to appropriate money to aid in exhibiting the resources and products of the State of Iowa at the Centennial Exposition.

H. F. No. 172, An act to amend section 765 of the Code, in relation to the power of commissioners appointed by the Governor. ●

H. F. No. 145, An act to repeal the following section of the Code and enact a substitute therefor, viz: section 985, title 7, chapter 2, in relation to powers and duties of road supervisors.

Substitute for H. F. No. 154, An act appropriating money to pay the expenses of conducting the Reform School investigation.

And find the same correctly enrolled.

HARMON, *Chairman.*

Also the following:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval,

H. F. No. 32, An act to legalize the levy of certain taxes for the insane and to provide for the collection thereof.

S. F. No. 10, An act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the acts of the officers acting thereunder.

HARMON, *Chairman.*

Senators Pease, Graham, Campbell, Gallup, and Hitchcock were excused.

On motion of Senator Miller of Appanoose, S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville, and its ordinances and the acts of its officers thereunder, was taken up with the report of the committee recommending that it do pass.

Senator Miller of Appanoose, moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rotherbert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Bestow, Campbell, Carr, Gallup, Gilmore, Graham, Hitchcock, Jessup, Mitchell, Pease, Shane, Stoneman, and Willett—13.

So the bill passed and the title was agreed to.

On motion of Senator Lovell, S. F. No. 201, A bill for an act to repeal section 915 of the Code, and to enact a substitute therefor, was withdrawn from the files and recommitted to the Committee on Banks.

BILLS ON SECOND READING.

S. F. No. 119, A bill for an act to amend section 1539, title 11, chapter 6 of the Code of 1873, relating to the sale of intoxicating liquors, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

S. F. No. 69, A bill for an act to amend section 1543 of the Code of 1873, title 11, chapter 6, relating to the sale of intoxicating liquors, was taken up with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

S. F. No. 130, A bill for an act to amend section 1540 of the Code, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

S. F. No. 123, A bill for an act to amend section 1550 of chapter 6, title 11 of the Code, in relation to the sale of intoxicating, liquors, was taken up with the report of the committee recommending its indefinite postponement, and the report of the committee adopted.

S. F. No. 193, A bill for an act requiring county surveyors to record all surveys by them officially made, was taken up with the report of the committee recommending that it do pass, and considered.

On motion of Senator Williams, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rotherbert, Rumple, Shane, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Bestow, Campbell, Carr, Clark, Gilmore, Graham, Hitchcock, Jessup, Mitchell, Pease, Stoneman, and Willett—12.

So the bill passed and the title was agreed to.

H. F. No. 304, A bill for an act to repeal section 800, chapter 2, title 23 of the Code, and to enact a substitute therefor, was taken up with the report of the committee recommending its passage.

Senator Williams moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Shane, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—36.

The nays were:

Senators McCormack, and Teale—2.

Absent or not voting:

Senators Bestow, Campbell, Carr, Gallup, Gilmore, Hitchcock, Jesup, Lovell, Mitchell, Pease, Stoneman, and Willett—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

H. F. No. 418, A bill for an act to amend section 1715 of the Code, relating to division of school funds.

Also, the House has concurred in Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits, without amendment.

JAS. W. LOGAN, *Chief Clerk.*

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code, was taken up, with the report of the committee recommending that it do pass.

On motion of Senator Woolson, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dashiell, Dwelle, Gallup, Harmon, Hartshorn, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—33.

The nays were:

Senators Conaway, Dows, Hebard, Maginnis, and Wonn—5.

Absent or not voting:

Senators Bestow, Campbell, Carr, Gilmore, Graham, Hitchcock, Jesup, Mitchell, Pease, Shane, Stoneman, and Willett—12.

So the bill passed and the title was agreed to.

S. F. No. 202, A bill for an act to amend section 389, chapter 9, title 4, of the Code, in relation to township officers, was taken up, with the report of the committee recommending that it do pass

On motion of Senator Bailey, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—88.

The nays were none.

Absent or not voting:

Senators Bestow, Campbell, Carr, Gilmore, Graham, Hitchcock, Jessup, Mitchell, Pease, Shane, Stoneman, and Willett—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

H. F. No. 154, A bill for an act appropriating money to pay the expenses of conducting the reform school investigation.

JAS. W. LOGAN, *Chief Clerk*.

INTRODUCTION OF BILLS.

S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners, was taken up with the report of the committee recommending a substitute, and the substitute adopted.

Senator Williams moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Conaway, Cooley, Dows, Dwelle, Gallup, Harmon, Hebard, Hersey, Kinne, Lovell, McCoid, Newton, Nichols, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—24.

The nays were:

Senators Dashiell, Hartshorn, Larrabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Perkins, Rothert, Shane, and Woolson—14.

Absent or not voting:

Senators Bestow, Campbell, Carr, Clark, Gilmore, Graham, Hitchcock, Jessup, Mitchell, Pease, Stoneman, and Willett—12.

So the bill having failed to receive a constitutional majority was lost. Senator Miller of Black Hawk, moved to reconsider the vote by

which the bill was lost, and postpone further consideration of the motion until Wednesday, March 1.

The motion was agreed to.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise on County and Township Officers, was taken up, with the report of the committee recommending amendments, and when so amended it do pass.

The amendments proposed by the committee were adopted.

Senator Arnold moved to strike out all after the word "office," in fourth line, section 2.

The amendment was agreed to.

On motion of Senator Shane the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Miller of Black Hawk, Murphy, Nichols, Rothert, Rumble, Shane, Teale, Thornburg, Williams, Wilson, and Young—26.

The nays were:

Senators Dows, Graham, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Newton, Perkins, Wood, Woolson, and Wright—11.

Absent or not voting:

Senators Bestow, Campbell, Carr, Conaway, Dashiell, Gilmore, Hitchcock, Jessup, Mitchell, Pease, Stoneman, and Willett—12.

So the bill passed.

On motion of Senator Cooley the title was amended by inserting after the word "Field's," the words, "or some other work of a similar character."

S. F. No. 25, A bill for an act to repeal section 1061 of the Code and to enact a substitute therefor, was taken up, with the report of the committee recommending it do pass.

Senator Young moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Nichols, Rothert, Rumble, Teale, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—30.

The nays were:

Senators Conaway, Dashiell, McCormack, Maginnis, Miller of Appanoose, Newton, Perkins, and Thornburg—8.

Absent or not voting:

Senators Bestow, Campbell, Carr, Dows, Hitchcock, Pease, Shane, Stoneman, Willett, Gilmore, Jessup, and Mitchell—12.

So the bill passed and the title was agreed to.

H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of President and Vice President was taken up, with the recommendation of the committee that it do pass.

On motion of Senator Woolson, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Bestow, Campbell, Carr, Clark, Gilmore, Hitchcock, Jessup, Mitchel, Shane, Pease, Stoneman, Willett, and Williams—13.

So the bill passed, and the title was amended by adding thereto after "section 660" the words "chapter 4, title 5."

The President handed the Secretary the following communication, which he read:

SENATE CHAMBER, }
February 28, 1876. }

TO THE PRESIDENT OF THE SENATE:

Sir:—I hereby resign the office of Senator for the Thirty-third Senatorial District of the State of Iowa.

Signed,

JOHN SHANE.

Senator Rumble offered the following resolution, which was adopted unanimously by a standing vote:

RESOLUTION.

WHEREAS, It is with mingled joy and sorrow that we are compelled to sever our official relations with our highly esteemed friend Senator Shane—joy that he has been called to fill a position in the judiciary of our State of so much responsibility and honor, thus appreciating his ability as a jurist and integrity as a man. Sorrow that we are to be deprived of his wise council in our deliberations in this chamber and sorrow that we are compelled to lose the society of one with whom it was pleasant to associate.

Therefore, Be it Resolved, That we hail with pleasure the promotion of Senator Shane to the honorable position of district judge of the eighth judicial district by appointment of the executive; knowing that he will bring to the bench that learning, ability and integrity as a judge that has characterized him as a statesman, and that will in no way reflect upon the wisdom of his Excellency in his selection. Confident that he will fill the honorable position with honor to himself and credit to the State, we hereby extend to him our heartfelt compliments and congratulations.

The Secretary is hereby ordered to forward to Senator Shane a copy of these resolutions.

At 12 M., the Senate, on motion of Senator Cooley, adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment and was called to order by the President.

BILLS ON SECOND READING RESUMED.

S. F. No. 206, A bill for an act to amend section 1793 of the Code, with the report of the committee recommending that it do pass, was taken up and passed on file.

S. F. No. 170, A bill for an act to provide for collection of delinquent personal taxes in certain cases, with the report of the committee recommending that it do pass, was taken up.

Senator Woolson was excused.

On motion of Senator Larrabee the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Ruple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Murphy, Pease, Stoneman, Willett, and Woolson—8.

So the bill passed and the title was agreed to.

H. F. No. 68, A bill for an act to amend section 1428 of the Code, was taken up with the report of the committee recommending that it do pass.

Senator Larrabee moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Ruple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Murphy, Pease, Stoneman, Willett, and Woolson—8.

So the bill passed and the title was agreed to.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof, was taken up with the report of the committee recommending its passage.

On motion of Senator Larrabee, the 11th rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wood, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Stoneman, Willett, Wonn, and Woolson—8.

So the bill passed and the title was agreed to.

S. F. No. 169, A bill for an act to require the clerks of the several district and circuit courts to make annual reports to the Auditor of State, was taken up, with the report of the committee recommending that it do pass.

On motion of Senator Larrabee the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wood, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Stoneman, Willett, Wonn, and Woolson—8.

So the bill passed and the title was agreed to.

S. F. No. 71, A bill for an act to supply shade trees on the public highways of the State, with the report of the committee reporting it back without recommendation, was taken up and considered.

Senator Teale moved to amend by striking out "one-tenth" and inserting "one-twentieth" in first section.

The amendment was lost.

Senator Graham moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Campbell, Conaway, Cooley, Dows, Gallup, Graham, Harmon, Jessup, Kinne, Larrabee, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Perkins,

Rumple, Thornburg, Wilson, Wood, Woolson, Wright, and Young 25.

The nays were:

Senators Bailey, Bestow, Clark, Dashiell, Dwelle, Hartshorn, Hersey, Lovell, McCoid, McCormack, Merrill of Wapello, Mitchell, Murphy, Rothert, Teale, Williams, and Wonn—17.

Absent or not voting:

Senators Carr, Gilmore, Hebard, Hitchcock, Pease, Stoneman, and Willett—7.

So the bill was indefinitely postponed.

S. F. No. 162, A bill for an act to amend section 2094, chapter 3, title 14 of the Code of 1873, by adding thereto, was taken up, with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

Senator McCoid, from the Committee on Judiciary, introduced S. F. No. 236, A bill for an act to amend section 2494, chapter 5, title 16 of the Code.

Read first and second time, and on motion of Senator Merrell of Clinton, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Stoneman, and Willett—8.

So the bill passed and the title was agreed to.

On motion of Senator Rumple S. F. No. 218, A bill for an act to amend section 482 of the Code, was taken up, with the report of the committee recommending its passage.

Senator Rumple moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Carr, Gilmore, Pease, Hitchcock, Stoneman, and Willett—8.

So the bill passed and the title was agreed to.

H. F. No. 13, A bill for an act to repeal the first paragraph of section 3814 of chapter 3 of the Code, relating to the fees of witnesses, and to enact a substitute therefor, was taken up with the report of the committee recommending amendments, and considered.

Senator Young moved to strike out the word "five" and insert "three" in amendments reported by the committee.

The motion was disagreed to.

Senator Young moved to strike out the word "five" and insert "four" in the committee amendment.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Campbell, Dashiell, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Miller of Appanoose, Newton, Teale, Thornburg, Williams, Wilson, Wonn, Wood, and Young—23.

The nays were:

Senators Arnold, Clark, Conaway, Cooley, Dwelle, Gallup, Hartshorn, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rothert, Rumble, Woolson, and Wright—19.

Absent or not voting:

Senators Carr, Dows, Gilmore, Hitchcock, Pease, Stoneman, and Willett—7.

So the motion prevailed.

The amendments of the committee, as amended, were then adopted.

On motion of Senator Mitchell, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Carr, Dows, Gilmore, Hitchcock, Pease, Stoneman, and Willett—7.

So the bill passed and the title was amended to read, "A bill for an act to amend section 3814 of chapter 3, title 23, of the Code, relating to the fees of witnesses."

On motion of Senator Jessup, S. F. No. 63, A bill for an act to amend chapter 5, of the Code of 1873, and add thereto; was taken up with the report of the committee recommending amendments, and considered.

On motion of Senator Miller of Black Hawk, the pending amendments were withdrawn.

On motion of Senator Jessup, the 11th rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, He-

bard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Rotherth, Rumble, Teale, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—40.

The nays were:

Senator Murphy—1

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Perkins, Stoneman, Willett, and Wonn—8.

So the bill passed and the title was amended by inserting "title 12" after "chapter 5."

On motion of Senator Williams H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns, with the report of the committee recommending its passage, was taken up.

Senator Williams moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rotherth, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none:

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Stoneman, and Willett—6.

So the bill passed and the title was agreed to.

H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange, was taken up, with the report of the committee recommending a substitute, and made a special order for Friday, at 10:30 o'clock.

S. F. No. 177, A bill for an act to amend section 807 of chapter 1, title 6, of the Code of Iowa, relative to taxing insurance companies, was taken up, with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor, with the report of the committee recommending amendments, was taken up, and the amendments proposed by the committee adopted.

Senator Merrell of Clinton moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Merrell

of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—40.

The nays were:

Senators McCoid and Maginnis—2.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Pease, Stoneman, Willett, and Woolson—7.

So the bill passed and the title was agreed to.

S. F. No. 143, A bill for an act to establish a central station for meteorological observations and the appointment of a director thereof, was taken up, with the report of the committee recommending amendments, and the amendments adopted.

Senator Arnold moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Dows, Gallup, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rothert, Rumple, Thornburg, Williams, Wilson, Wonn, Woolson, and Wright—29.

The nays were:

Senators Campbell, Cooley, Dashiell, Dwelle, Graham, Jessup, Kinne, McCormack, Maginnis, Newton, Teale, Wood, and Young—13.

Absent or not voting:

Senators Carr, Conaway, Gilmore, Hitchcock, Pease, Stoneman, and Willett—7.

So the bill passed and the title was agreed to.

Senator Woolson filed a motion to reconsider the vote by which H. F. No. 60 was passed, and the consideration of the motion was made a special order for to-morrow.

S. F. No. 144, A bill for an act authorizing the State Treasurer to transfer certain moneys retained from the swamp land indemnity fund, to the general revenue fund, was taken up with the report of the committee recommending a substitute, and the substitute was adopted.

On motion of Senator Larrabee, the eleventh rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were none.

Absent or not voting:

Senators Carr, Clark, Gilmore, Hitchcock, Jessup, Merrell of Clinton, Pease, Stoneman, Teale, and Willett—10.

So the bill passed and the title was agreed to.

RESOLUTIONS.

By leave, Senator McCoid introduced a joint resolution instructing our Senators, and requesting our Representatives in Congress, to prevent an extension of patents in Wilson's patent on feed motion and similar patents on sewing machines.

Read first and second time.

Senator McCoid moved to suspend the 11th rule and read the joint resolution a third time now.

The motion prevailed.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoosa, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none:

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Stoneman, Teale, and Willett—6.

So the joint resolution passed and the title was agreed to.

By leave Senator Larrabee introduced the following resolution:

Resolved, That no smoking be allowed in the Senate Chamber or the post office while the Senate is in session, and the Sergeant-at-Arms is hereby ordered to enforce this order.

Senator Cooley moved to postpone the resolution until March 20th, at 12½ o'clock.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Cooley, Dows, Kinne, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Rothert, Rumble, Teale, Wilson, Wonn, Wood, and Young—16.

The nays were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Dashiell, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Thornburg, Williams, Woolson, and Wright—28.

Absent or not voting:

Senators Carr, Gilmore, Hitchcock, Stoneman, and Willett—5.

So the motion to postpone was lost.

Senator Merrell, of Clinton, moved to refer the resolution to the Committee on Constitutional Amendments, and make it a special order for March 19, at 10½ o'clock.

The motion was lost.

Senator Rothert moved to lay the resolution on the table, which was disagreed to.

Senator Merrell, of Clinton, moved to adjourn.

The motion was lost.

Senator Cooley moved to strike out the word "post office," which was agreed to.

The resolution as amended was then adopted.

Senator Bestow offered the following resolution, which was adopted:
Resolved, That the appropriation bills for the different State institutions be handed in by Wednesday, March 1st, without fail.

Senator Miller of Black Hawk moved to adjourn.

The motion prevailed, and at 4:35 P. M. the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 29, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. W. J. Gill.

On motion of Senator Kinne, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed without amendment S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit, organized under chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

Also, that the House has passed H. F. No. 63, A bill for an act to quiet and confirm the title in certain school lands in Appanoose county in George Campbell.

Also, that the House has concurred in all of the Senate amendments to H. F. No. 101, A bill for an act to promote fish culture, etc., except the last amendment striking out "\$10,000," and inserting "\$7,500," in which amendment the House refuses to concur, and asks the Senate to recede from such amendment.

J. J. FLYNN,
Second Assistant Clerk.

Senators Stoneman, Arnold, and Hitchcock were excused.

PETITIONS AND MEMORIALS.

By Senator Bestow: Three petitions from citizens of Lucas county, asking that the present liquor law be not repealed.

Referred to Committee on Suppression of Intemperance.

By Senator Campbell: A petition from Jasper County Patrons of Husbandry, asking for the continuance of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Murphy: A like petition from one hundred and sixty citizens of Davenport, which was referred to same committee.

By Senator Woolson: A like petition from citizens of Henry county, which was given the same reference.

By Senator Jessup: A petition from citizens of Ackley, asking that the present railroad tariff law be repealed.

Referred to the Committee on Railroads.

By Senator Lovell: A like petition from citizens of Anamosa, which was referred to same committee.

By Senator McCoid: A like petition from citizens of Fairfield, which was referred to same committee.

By Senator Dows: A petition from citizens of Linn county, asking for a law to prohibit railroad trains from running on the Sabbath.

Referred to the Committee on Railroads.

By Senator Dows: Petitions from citizens of Durant, Cedar county, citizens of Clinton county, citizens of Black Hawk county, citizens of Cedar Rapids, and citizens of Linn county, asking for the continued enactment of the present liquor law.

These petitions were referred to the Committee on Suppression of Intemperance.

By Senator Teale: A like petition from citizens of Ringgold county, which was referred to same committee.

By Senator Woolson: A petition of C. D. Wood and other citizens of Henry county, asking relief from the improper sewerage of the hospital for the insane at Mt. Pleasant.

Referred to the Committee on Insane.

INTRODUCTION OF BILLS.

By leave, Senator Dashiell introduced S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of municipal corporations prohibiting the same.

Read first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

By Senator Merrill of Wapello, from the Committee on Commerce: S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873.

Read first and second time.

Senator Merrill of Wapello, moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Dows, Hitchcock, Stoneman, and Willett—6.
So the bill passed and the title was agreed to.

On motion of Senator Campbell, S. F. No. 183, A bill for an act to regulate and enforce reciprocity between express companies doing business in the State of Iowa, was withdrawn from the files and recommitted to the Committee on Railroads.

HOUSE MESSAGES.

H. F. No. 418, A bill for an act to amend section 1715 of the Code, relating to the division of school funds.

Read first and second time, and referred to the Committee on Schools.

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

Read first and second time.

On motion of Senator Bestow, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were:

Senator Conaway—1.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Stoneman, and Willett—5.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Miller of Black Hawk, from the Committee on Military, submitted the following report:

MR. PRESIDENT:—Your Committee on Military, to whom was referred petitions asking an appropriation to enable the militia of the State to have a representation at the Centennial Exposition, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the prayer of the petitioners be not granted.

E. G. MILLER, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Committee on Schools submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 70, A bill for an act to amend sections 1774 and 1776 of the Code of 1873, prescribing the duties of county superintendent, and

fixing the salary of such officer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted the same do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 155, A bill for an act to authorize township boards of trustees to construct town houses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "clerk" in the second line of section 3, and inserting the word "trustees" in lieu thereof, and when so amended the majority of the committee recommend that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 175, A bill for an act to authorize cities, incorporated towns, and townships to establish and maintain free public libraries and reading rooms, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed on file.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Rumble, from the committee appointed to visit the Soldiers' Orphans' Homes at Cedar Falls and Davenport, presented a report of that visit, which was ordered printed and passed on file.

BILLS ON THIRD READING.

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of Fish Commissioner, and appropriate money to carry out the provisions of this act.

On the question, shall the Senate recede from its third amendment to the bill, the yeas were:

Senators Graham, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Perkins, Rothert, Rumble, Thornburg, Williams, and Wright—17.

The nays were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Newton, Pease, Teale, Wilson, Wonn, Wood, Woolson, and Young—26.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Mitchell, Stoneman, and Willett—6.

So the Senate refused to recede from its third amendment to the bill.

Senator Woolson called up his motion to reconsider the vote by which H. F. No. 60, A bill for an act to amend section 463 of the Code, title

4, chapter 10, "of cities and incorporated towns," was passed yesterday.

The motion to reconsider prevailed.

Senator Woolson moved to reconsider the vote by which the bill was ordered to a third reading, which was agreed to.

Senator Woolson moved to amend by inserting in the 6th line, after the words "eating houses," the words, "to regulate, license, and tax or prohibit."

The motion prevailed.

Senator Woolson moved to amend by inserting after the word "tax," in the 7th line, the words "or prohibit."

The motion prevailed.

On motion of Senator Woolson, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wood, Woolson, and Wright—41.

The nays were:

Senator Murphy—1.

Absent or not voting:

Senators Arnold, Carr, Hartshorn, Hitchcock, Stoneman, Willett, and Wonn—7.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12 of the Code, relating to compensation of school officers, was taken up with the report of the committee recommending amendments, and the amendments reported by the committee adopted.

On motion of Senator Miller of Black Hawk, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—36.

The nays were:

Senators Campbell, Gilmore, Graham, Lovell, McCormack, Maginnis, Merrell of Clinton, and Perkins—8.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Stoneman, and Willett—5.

So the bill passed and the title was agreed to.

Senator Murphy moved to appoint a committee of conference on the

part of the Senate, on the disagreeing vote of the two Houses on the third Senate amendment to H. F. No. 101.

The motion prevailed.

The President appointed as such committee, Senators Murphy, Cooley, and Campbell.

Substitute for S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated towns and cities to aid in the construction of railroads, was taken up, and on motion of Senator Nichols, it was made a special order for Thursday next at 2½ o'clock P. M.

Substitute for H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes, was taken up, with the report of the committee recommending the striking out of section 8.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Clark, Conaway, Dashiell, Graham, McCoid, McCormack, Miller of Appanoose, Miller of Black Hawk, Pease, Rothert, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—19.

The nays were:

Senators Bailey, Cooley, Dows, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Rumple, Teale, and Thornburg—23.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Nichols, Perkins, Stoneman, and Willett—7.

So the motion to strike out did not prevail.

Senator Young moved to amend section 6 by striking out the word "clerk" in the first line, and insert "warden;" and strike out all after the word "work," in the second line.

Senator Young moved the Senate adjourn.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, Larrabee, McCoid, Maginnis, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Teale, Thornburg, Wilson, Wood, Woolson, and Young—28.

The nays were:

Senators Cooley, Hebard, Kinne, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Newton, Rumple, Williams, and Wright—13.

Absent or not voting:

Senators Arnold, Bailey, Carr, Hitchcock, Nichols, Stoneman, Willett, and Wonn—8.

So the motion prevailed, and at 12:10, A. M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

The Senate resumed the discussion of substitute for H. F. No. 6, the question pending being the motion of Senator Young to amend section 6.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate substitute for H. F. No. 355, A bill for an act to empower cities to extend their corporate limits.

Also, H. F. No. 58, A bill for an act to amend section 989 of chapter 2, of title 7, of the Code, in relation to the powers and duties of road supervisors.

I am also directed to inform your honorable body that the House insists upon its amendment to S. F. No. 59, striking out the last two lines of the bill, relating to the personal liability of members of boards of supervisors, and has appointed Messrs. Reed of Howard, Glover, and Brown a committee of conference on the disagreeing vote thereon, and asks for a like committee on the part of the Senate.

J. W. LOGAN, *Chief Clerk.*

The Senate refused to agree to the amendment offered by Senator Young.

Senator Nichols was excused.

Senator Murphy moved to strike out all after the word "work" in section 5.

On this question the yeas and nays were demanded, and the yeas were:

Senators Jessup, Kinne, Lovell, McCoid, Murphy, Newton, Thornburg, and Williams—8.

The nays were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hebard, Hersey, Larrabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Teale, Wilson, Wonn, Wood, Woolson, Wright, and Young—33.

Absent or not voting:

Senators Arnold, Carr, Dows, Harmon, Hitchcock, Nichols, Stoneman, and Willett—8.

So the motion to strike out did not prevail.

Senator Rothert moved to strike out of first line of section 8 the word "maintain," and insert the word "recognized."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Conaway, Dashiell, Gallup, Gilmore, Graham, McCoid, McCormack, Miller of Appanoose, Mitchell, Pease, Rothert, Williams, Wonn, Wood, Woolson, Wright, and Young—19.

The nays were:

Senators Bailey, Clark, Cooley, Dows, Dwelle, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Perkins, Rumble, Teale, Thornburg, and Wilson—24.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Nichols, Stoneman, and Willett—6.

The motion was lost.

Senator Young moved to amend section 8 by adding thereto, "Provided that nothing in this act shall be so construed as to authorize the leasing of the labor."

The motion was agreed to.

On motion of Senator Larrabee the 11th rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Perkins, Rumble, Thornburg, Wilson, Wonn, and Young—31.

The nays were:

Senators Campbell, Dashiell, Gilmore, McCoid, Miller of Appanoose, Pease, Rothert, Teale, Williams, Wood, Woolson, and Wright—12.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Nichols, Stoneman, and Willett—6.

So the bill passed and the title was agreed to.

Senator Perkins moved that a committee on conference be appointed on the part of the Senate, on the disagreeing vote of the two Houses on S. F. No. 59, A bill for an act providing for bonding indebtedness.

The motion prevailed.

The President appointed Senators Perkins, Woolson, and McCormack such committee.

BILLS ON SECOND READING.

S. F. No. 168, A bill for an act relating to evidence, was taken up, with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

COMMITTEE REPORT.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined

Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits,

H. F. No. 58, A bill for an act to amend section 989, chapter 2, title 7 of the Code, in relation to the forms and duties of road supervisor,

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

And find the same correctly enrolled.

HARMON, *Chairman.*

BILLS ON SECOND READING RESUMED.

S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages, was taken up, with the report of the committee recommending its passage, and on motion of Senator Woolson the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Campbell, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were:

Senator Clark—1.

Absent or not voting:

Senators Arnold, Bestow, Carr, Hartshorn, Hersey, Hitchcock, McCoid, Nichols, Stoneman, and Willett—10.

So the bill passed and the title was agreed to.

H. F. No. 110, A bill for an act to change the name of Petersburg, in Keokuk county, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

H. F. No. 353, A bill for an act to legalize the official acts of W. G. H. Welton, a justice of the peace in and for Washington county, Iowa, was taken up with the report of the committee recommending it be indefinitely postponed, and report of the committee concurred in.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following

bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52, of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

JAS. W. LOGAN, *Chief Clerk.*

BILLS ON SECOND READING RESUMED.

S. F. No. 32, A bill for an act to restrain vagrancy and common beggary, was taken up with the report of the committee recommending its passage.

On motion of Senator Larrabee the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senators Cooley, Jessup, and Maginnis—3.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Hartshorn, Nichols, Storeman, and Willett—7.

So the bill passed, and the title was agreed to.

S. F. No. 152, A bill for an act to repeal section 4560 of the Code and to enact a substitute therefor, in relation to evidence in certain cases, was taken up, with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

Substitute for H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts, was taken up with the report of the committee recommending amendments, and the amendments adopted.

On motion of Senator Merrell of Clinton, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Conaway, Cooley, Dashiell, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—37.

The nays were:

Senators Campbell, Clark, and Gilmore—3.

Absent or not voting:

Senators Carr, Arnold, Dows, Hitchcock, Murphy, Nichols, Storeman, Willett, and Wonn—9.

So the bill passed and the title was agreed to.

S. F. No. 78, A bill for an act to compel the recording of all instru-

ments affecting title to real estate and to prevent the use of forged title papers, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

S. F. No. 204, A bill for an act to amend section 4465, chapter 29, title 25 of the Code, was taken up, with the report of the committee recommending its indefinite postponement and the report of the committee concurred in.

S. F. No. 148, A bill for an act providing for the destruction of hawks, crows and owls, and for the protection of game and domestic fowls, was taken up, with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

S. F. No. 225, A bill for an act to repeal section 209 of the Code and to enact a substitute therefor, was taken up with the report of the committee recommending amendments.

The amendments recommended by the committee were adopted.

On motion of Senator Cooley, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rump, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—41

The nays were:

Senators Perkins, and Rothert—2.

Absent or not voting:

Senators Arnold, Carr, Hitchcock, Nichols, Stoneman, and Willet—6.

So the bill passed and the title was agreed to.

On motion of Senator Rothert, S. F. No. 175, A bill for an act to authorize incorporated towns and townships to establish and maintain free public libraries and reading rooms, was withdrawn from the files and recommitted to the Committee on Schools.

INTRODUCTION OF BILLS.

By leave, Senator Mitchell introduced S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," approved April 13th, 1870, and for making an additional appropriation for the erection of the capitol building.

Read first and second time, ordered printed and referred to Committee on Appropriations.

BILLS ON SECOND READING RESUMED.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents and to punish interference with, and injury to the property of railroad companies, was taken up, with the report of the committee recommending its passage.

Senator Dashiell moved to amend by adding to the bill the words, "by fine not exceeding \$100, or by imprisonment not exceeding thirty days."

The amendment prevailed.

On motion of Senator Campbell the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hebard, Hershey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpke, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Harmon, Hitchcock, Nichols, Stoneman, and Willett—7.

So the bill passed and the title was agreed to.

S. F. No. 111, A bill for an act to repeal section 982 of chapter 2, title 7 of the Code of 1873, relating to the expenditure of highway tax, and to enact a substitute therefor, was taken up, with the report of the committee recommending that it do not pass.

Senator Woolson moved to amend by inserting in eighth line, after the word "money," the following: "and whose expenditure in the judgment of the township trustees, is not necessary in the road district where the property is situated."

The amendment was adopted.

On motion of Senator Dashiell the bill was made a special order for to-morrow morning at 10½ o'clock.

S. F. No. 159, A bill for an act creating the 14th judicial district, and providing for the election of district and circuit judges and a district attorney therein, and changing the boundaries of the 4th, 11th, and 13th judicial districts, was taken up, with the report of the committee recommending a substitute.

On motion of Senator Dows the bill was made a special order for to-morrow morning at 10:15.

At 4:35 P. M., on motion of Senator Dows, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 1, 1876. }

Senate met pursuant to adjournment, and was called to order by the President:

Prayer by the Rev. M. D. Miles.

On motion of Senator Merrell of Clinton, the reading of yesterday's journal was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Murphy: A petition from the citizens of Scott county, asking that no change be made in the present railroad law.

Referred to Committee on Railroads.

By Senator Merrell of Clinton: A memorial from the citizens of Clinton, Iowa, against the repeal of the present railroad law.

Referred to Committee on Railroads.

By Senator Lovell: A petition from the citizens of Iowa, asking that the present prohibitory liquor law be repealed, and that a judicious license or local option law be enacted.

Referred to Committee on Suppression of Intemperance.

By Senator Conaway: A petition from the citizens of Poweshiek county, protesting against the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Hersey: A petition from the ladies of Manchester, Iowa, asking that the present liquor law be not repealed.

Referred to the Committee on Suppression of Intemperance.

By Senator Mitchell: A similar petition from the citizens of Chariton, Iowa.

Referred to same Committee.

By Senator Woolson: A petition from the citizens of Henry county, asking that the present railroad tariff law be not repealed.

Referred to the Committee on Railroads.

By Senator Thornburg: A petition from the citizens of Dallas county, asking a modification of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Mitchell: A petition from the citizens of Washington township, Polk county, praying for a constitutional amendment prohibiting the donation of public lands for the use of parochial schools and religious purposes.

Referred to Committee on Constitutional Amendments.

Also, a petition from ninety citizens of Iowa, asking for a repeal of section 1160, chapter 4, of the Code.

Referred to the Committee on Insurance.

By Senator Hersey: A petition from the citizens of Delaware county, protesting against the repeal of the present prohibitory liquor law.

Referred to the Committee on Suppression of Intemperance.

Senator Larrabee moved that when the Senate adjourn, it adjourn to meet this afternoon at 2 o'clock.

The motion did not prevail.

INTRODUCTION OF BILLS.

By leave, Senator Williams introduced S. F. No. 240, A bill for an act to legalize and declare of same force and effect as originals, a certain record in district court of Des Moines county.

Read first and second time, and referred to the Committee on Judiciary.

By leave Senator Lovell introduced S. F. No. 241, A bill for an act making an appropriation for the penitentiary at Anamosa, Iowa.

Read first and second time, and referred to the Committee on Appropriations.

By leave Senator Murphy introduced S. F. No. 242, A bill for an act to make appropriations for the Soldiers' Orphans' Home.

Read first and second time, and referred to Committee on Appropriations.

REPORT OF COMMITTEE.

Senator Clark, from the Committee on State University, submitted the following report:

MR. PRESIDENT:—Your Committee on State University, to whom was referred S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made, and that the bill do pass: Amend section 1 by striking out "fifty-five thousand" and inserting "\$47,457;" also inserting

SEC. 2. The Board of Regents of said University are hereby authorized and directed to establish a department of Homeopathy in connection with the medical department of said University, to consist of two chairs, and may appropriate the sum of four thousand and one hundred dollars (\$4,100) for the payment of two professors, and the necessary appurtenances to the medical chairs. Your committee recommend the changing of section 2, in the original bill, to section 3, and insert the word "and" after the word "University," in the 7th line in the original bill.

E. CLARK, *Chairman.*

SPECIAL ORDER.

The hour having arrived to take up special orders, substitute for S. F. No. 159, A bill for an act creating the Fourteenth Judicial District, and provide for the election of district and circuit judges and district attorneys therein, and for changing the boundaries of the Fourth, Eleventh, and Thirteenth Judicial Districts, was taken up, and the substitute adopted.

Senator Teale moved to reconsider the vote by which the substitute was adopted, which motion was agreed to.

The question being on the adoption of the substitute, it was lost.

Senator Hartshorn moved to amend by inserting in section 4, after the word "Cass," the word "Adair," which amendment was adopted.

Senator Hartshorn moved to amend by inserting section 5, constituting the fifth "judicial district, consisting of Polk, Madison, Guthrie, Dallas and Warren counties," which was adopted.

Senator Hartshorn moved to amend by inserting the word "fifth" between the words "fourth" and "eleventh," at end of first line, which amendment was agreed to.

Also, to amend 7th section by inserting after the word "fourth" in first line the word "fifth," which was adopted.

Senator Wright moved to reconsider the vote by which the word "Adair" was inserted between the words "Cass" and "Audubon," which motion prevailed.

Senator Wright moved to strike out the word "Adair" and insert the word "Montgomery."

The motion was agreed to.

Senator Wright moved to amend by inserting a new section 6, constituting the third judicial district, comprising the counties of Page, Taylor, Ringgold, Decatur, Clarke, Union, Adams, and Adair.

Adopted.

Senator McCoid moved to amend by striking out the word "Webster" in second line of first section.

Also, to strike out the third section.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Dashiell, Dwelle, Gallup, Hebard, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Rumble, Wilson, and Woolson—20.

The nays were:

Senators Bestow, Campbell, Conaway, Gilmore, Graham, Harmon, Hartshorn, Hersey, Larrabee, Lovell, Merrell of Clinton, Miller of Black Hawk, Newton, Pease, Teale, Thornburg, Williams, Wonn, Wood, Wright, and Young—21.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Nichols, Perkins, Rothert, Stoneman, and Willett—8.

So the Senate refused to strike out.

Senator Hartshorn moved to suspend the eleventh rule and read the bill a third time.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senators Arnold, Jessup, and Murphy—3.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Nichols, Rothert, Stoneman, and Willett—7.

So the bill passed, and the title was amended by inserting before the word "fourth" the word "third," and after the word "fourth" the word "fifth."

On motion of Senator Woolson, S. F. No. 111, A bill for an act to repeal section 982, of chapter 2, title 7 of the Code of 1873, relating to the expenditure of highway tax, and to enact a substitute therefor was taken up and considered.

Senator Perkins from the Conference Committee submitted the following report:

The Committee of Conference appointed upon the disagreeing vote of the two Houses on S. F. No. 59, by leave report that they have had the same under consideration and have agreed to recommend that the seventh and eighth lines of said bill be stricken out.

GEO. D. PERKINS,

J. S. McCORMACK,

On the part of the Senate.

N. T. REED,

J. F. GLOVER,

LUTHER BROWN,

On the part of the House.

On the adoption of the report, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Gilmore, Graham, Hebard, Hersey, Jessup, Kinne, Maginnis, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Rumble, Thornburg, Wilson, Wonn, and Wood—22.

The nays were:

Senators Arnold, Dows, Dwelle, Gallup, Harmon, Hartshorn, Larrabee, Lovell, McCoid, Merrell of Clinton, Miller of Black Hawk, Mitchell, Newton, Pease, Teale, Williams, Woolson, and Wright—18.

Absent or not voting:

Senators Carr, Cooley, Hitchcock, McCormack, Nichols, Rothert, Stoneman, Willett, and Young—9.

So the report failing to receive a constitutional majority was not adopted.

The discussion resuming on S. F. No. 111, Senator Woolson moved to suspend the eleventh rule and read the bill a third time.

Carried.

On the question shall the bill pass, the yeas were:

Senators Bailey, Campbell, Clark, Dashiell, Dwelle, Hersey, Jessup, Lovell, McCormack, Maginnis, Mitchell, Newton, Pease, Teale, Thornburg, Williams, Wood, Woolson, Wright, and Young—20.

The nays were:

Senators Arnold, Bestow, Conaway, Gallup, Gilmore, Graham, Harmon, Hartshorn, Kinne, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Perkins, Rumble, Wilson, and Wonn—20.

Absent or not voting:

Senators Carr, Cooley, Dows, Hebard, Hitchcock, Nichols, Rothert, Stoneman, and Willett—9.

So the bill not receiving a constitutional majority was lost.

REPORTS OF COMMITTEES.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 259, A bill for an act to legalize the official acts of the town council of Creston, Iowa, and the ordinances thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Substitute for S. F. No. 106, A bill for an act to amend sections 1207, 1212, and 1216, of chapter 2, title 10 of the Code, in relation to drains, ditches, and water courses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed.

M. A. MCCOID, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claims of E. Blakesley, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 416, A bill for an act providing for the payment of \$25.00, the claim of James Harvey, for services rendered as an expert in determining the sanity of an inmate of the Iowa Hospital of the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred petition of David Armstrong asking to be allowed \$1,441.22 on account of stone delivered for foundation of capitol, beg leave to report that they have had the same under consideration and have instructed me to report that the sum asked for, as appears from the statements in the petition, was the amount lost by the petitioner in causing his contract to be fulfilled. As it would be money (in the opinion of your commit-

tee) to refuse to pay full price when the contract was a good one, so it would be equally wrong for the State to make up deficiency when the contract was a bad one, for this reason, this committee do not recommend the allowance of the claim.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred claim of A. J. Millard for \$87.60 for board of soldiers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be allowed and that the same be referred to Committee on Appropriations to be embraced in a bill making appropriations.

A. HEBARD, *Chairman.*

Ordered passed on file, and the bill referred to Committee on Appropriations.

Senator Graham, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred S. F. No. 21, A bill for an act to amend chapter 69 of the Public Laws of 1874, in relation to fish and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted and do pass.

WM. GRAHAM, *Chairman.*

Ordered passed on file.

The President appointed the following a committee of conference on the disagreeing vote of the two houses on S. F. No. 59, A bill for an act bonding indebtedness:

Senators Hebard, Larrabee, and Wright.

On motion of Senator Rumble, the Senate adjourned at 1:05 P. M.

SENATE CHAMBER,
DES MOINES, IOWA, March 2, 1876. }

The Senate was called to order by the Secretary, and Senator Hebard elected Temporary President.

Prayer by Rev. Dexter P. Smith.

On motion of Senator Clark, the reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Bestow: A petition from citizens of Lucas county, asking for a law compelling railroad trains to cease running on the Sabbath. Referred to the Committee on Railroads.

By Senator Wright: A petition from merchants and other business men of Council Bluffs, asking for a change in the collection laws.

Referred to Judiciary Committee.

By Senator Campbell: A petition from citizens of Volga City, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Cooley: A petition from shippers of Newell, Iowa, remonstrating against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Young: A like petition from citizens of Cass county, which was referred to same committee.

By Senator Lovell: A like petition from citizens of Jones county, which was given a like reference.

By Senator Dows: Petition from citizens of College Spring, asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

SPECIAL ORDER.

The hour having arrived for the election of President, *pro tempore*, Senator Cooley nominated Senator Rothert for that position.

Senator Wonn nominated Senator Merrell of Clinton for the same position.

The roll was then called.

Those voting for Senator Rothert were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartsborn, Hebard, Hersey, Jessup, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumpke, Teale, Thornburg, Williams, Wood, Woolson, Wright, and Young—36.

Those voting for Senator Merrell of Clinton were:

Senators Kinne, Lovell, McCormack, Maginnis, Murphy, Pease, Rothert, Stoneman, Wilson, and Wonn—10.

Absent or not voting:

Senators Carr, Hitchcock, and Willett—3.

Senator Rothert having received a majority of the votes cast, was declared duly elected President, *pro tempore*.

Senator McCoid moved that a committee be appointed to conduct the President, *pro tempore*, to the chair.

The motion prevailed.

Senators McCoid and Merrell, of Clinton, were appointed such committee.

The committee escorted Senator Rothert to the chair.

RESOLUTIONS.

Senator Cooley offered the following resolution, which was adopted:

Resolved, That on and after March 3d the Senate convene at 9:30 A. M. and 2:00 P. M., except on Saturday, when there shall be but one session a day, commencing at 9:30 A. M.

Senator McCoid offered the following resolution, which was adopted:

Resolved, That clerks of committees, when not employed on committee work, be required to assist the secretary during the remainder of the session.

Senator Gilmore offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means are hereby instructed to consider and report upon the propriety of introducing a bill providing for the payment of taxes in semi-annual payments.

SPECIAL ORDER.

The hour having arrived for the consideration of substitutes for S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor; and to restore capital punishment, the bill was taken up, the question being on the motion to reconsider the vote by which the bill was ordered engrossed.

On motion of Senator Merrell, of Clinton, the bill was postponed and made a special order for to-morrow morning at half past ten.

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 60, A bill for an act to amend section 463, title 4, chapter 10 of the Code, of cities and incorporated towns.

H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of electors of President and Vice President.

H. F. No. 68, A bill for an act to amend section 1428 of the Code.

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor.

And find the same correctly enrolled.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, H. F. No. 154, a bill for an act appropriating money to pay the expenses of the Reform School investigation.

H. F. No. 58, A bill for an act to amend section 989 of chapter 3, title 7 of the Code, in relation to the powers and duties of road supervisors.

Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits.

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of

1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

HARMON, *Chairman.*

INTRODUCTION OF BILLS.

By Committee on Way and Means: S. F. No. 243, A bill for an act to provide for the transfer of moneys, raised by special levy to county fund for general use.

Read first and second time.

Senator Merrill of Wapello, moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Carr, Hitchcock, and Willett—3.

So the bill passed and the title was agreed to.

By Committee on Judiciary: S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and correct indexes to its records.

Read first and second time.

On motion of Senator Perkins, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Hitchcock, Miller of Appanoose, Teale, Willett, and Wright—6.

So the bill passed and the title was agreed to.

By leave, Senator Stoneman introduced S. F. No. 245, A bill for an act to change the name of the village plat of the town of Yankee Settlement Center, in Clayton county, Iowa.

Read first and second time, and passed on file.

Senator McCoid offered the following resolution, which was adopted:

Resolved, That clerks of committees, when not employed on committee work, be required to assist the secretary during the remainder of the session.

Senator Gilmore offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means are hereby instructed to consider and report upon the propriety of introducing a bill providing for the payment of taxes in semi-annual payments.

SPECIAL ORDER.

The hour having arrived for the consideration of substitutes for S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor; and to restore capital punishment, the bill was taken up, the question being on the motion to reconsider the vote by which the bill was ordered engrossed.

On motion of Senator Merrell, of Clinton, the bill was postponed and made a special order for to-morrow morning at half past ten.

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H. F. No. 68, A bill for an act to amend section 1428 of the Code.

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell.

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code.

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 304, A bill for an act to repeal section 3800, chapter 2, title 23 of the Code, and to enact a substitute therefor.

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Senate substitute for H. F. No. 355, A bill for an act empowering cities to extend their corporate limits.

S. F. No. 228, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of

1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

HARMON, *Chairman.*

INTRODUCTION OF BILLS.

By Committee on Way and Means: S. F. No. 243, A bill for an act to provide for the transfer of moneys, raised by special levy to county fund for general use.

Read first and second time.

Senator Merrill of Wapello, moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Carr, Hitchcock, and Willett—3.

So the bill passed and the title was agreed to.

By Committee on Judiciary: S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and correct indexes to its records.

Read first and second time.

On motion of Senator Perkins, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Hitchcock, Miller of Appanoose, Teale, Willett, and Wright—6.

So the bill passed and the title was agreed to.

By leave, Senator Stoneman introduced S. F. No. 245, A bill for an act to change the name of the village plat of the town of Yankee Settlement Center, in Clayton county, Iowa.

Read first and second time, and passed on file.

REPORTS OF COMMITTEES.

Senator Teale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute with the recommendation that the substitute do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 223, A bill for an act to amend section 2049, of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

FRED TEALE, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 216, A bill for an act to legalize ordinances No. 142 and No. 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city, and the conveyance of land on a bill to erect the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 133, A bill for an act empowering township clerks to administer oaths in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the seventh line after the word "supervisors" the words "whenever it is necessary for either of said officers to make oath to their bills," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 230, A bill for an act to provide for the publication of amendments proposed to the Constitution, beg leave to report that they have had the same under consideration, and have prepared a substitute, and have instructed me to report the same to the Senate with the recommendation that the substitute be adopted, and when so adopted it do pass.

McCROID, *Chairman.*

Ordered passed on file

On motion of Senator Dows S. F. No. 216, A bill for an act to legal-

ize ordinances No. 142 and No. 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city, and the coveyance of land on which to erect the same, was taken up with the report of the committee recommending its passage.

On motion of Senator Dows the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Young—42.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Carr, Clark, Hitchcock, Perkins, Willett, and Wright—6.

So the bill passed and the title was agreed to.

On motion of Senator Young, H. F. No. 259, A bill for an act to legalize the official acts and ordinances of the town council of the town of Creston, Union county, Iowa, was taken up, with the report of the committee recommending its passage.

Senator Young moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Carr, Hitchcock, Murphy, and Willett—4.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 427, A bill for an act to amend section 135 of the Code, relating to appeals to the supreme court,

H. F. No. 429, A bill for an act for the relief of Harrison county,

H. F. No. 442, A bill for an act to legalize the town plat of Tracy, now Van Meter, Dallas county.

Without amendment:

S. F. No. 63, A bill for an act to amend chapter 5 of the Code of 1873, and add thereto,

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville, and its ordinances, and the acts of its officers there under,

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa to the purchase of certain lands in the city of Keokuk, Iowa,

And joint resolution in relation to extension of certain patents.

I also, herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 16, of cities and incorporated towns,

H. F. No. 304, A bill for an act to repeal section 3800 of chapter 2, title 23 of the Code, and enact a substitute therefor,

H. F. No. 113, A bill for an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof,

H. F. No. 97, A bill for an act to amend section 1362, chapter 1, title 11 of the Code,

H. F. No. 68, A bill for an act to amend section 1428 of the Code,

H. F. No. 63, A bill for an act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell,

H. F. No. 14, A bill for an act to amend section 660 of the Code, in relation to the election of president and vice president,

Also, that the House refuses to concur in Senate amendment to H. F. No. 115, A bill for an act to amend section 1733, of chapter 9, title 12 of the Code, relating to compensation of school officers, in relation to the population of independent districts,

Also, That the House has passed substitute for S. F. Nos. 2, 4, and 13, with amendments noted in the bill.

J. W. LOGAN, *Chief Clerk.*

ILLS ON THIRD READING.

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same.

On the question shall the Senate concur in the House amendment to the bill, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were:

Senator Miller of Appanoose—1.

Absent or not voting:

Senators Carr, Hitchcock, Kinne, and Willett—4.

So the Senate concurred in the House amendment to the bill.

H. F. No. 115, a bill for an act to amend section 1733 of chapter 9, title 12 of the Code relating to compensation of school officers.

On the question, shall the Senate recede from its amendments to the bill, the yeas were:

Senators Clark, Gilmore, McCormack, Mitchell, Teale and Wonn—5.

The nays were:

Senators Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Rothert, Rumple, Stoneman, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—36.

Absent or not voting:

Senators Arnold, Carr, Dows, Hitchcock, Jessup, Kinne, Perkins and Willett—8.

So the Senate refused to recede from its amendments to the bill.

The Clerk of the House having amended his message, including the second amendment of the House to substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling, and to punish the same.

On the question, shall the Senate concur in the second House amendment to the bill, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—38.

The nays were:

Senators Bestow, Conaway, Dashiell, Hartshorn, Merrill of Wapello, Miller of Appanoose, and Woolson—7.

Absent or not voting:

Senators Carr, Hitchcock, Kinne, and Willett—4.

So the Senate concurred in the second House amendment to the bill.

HOUSE MESSAGES.

On motion of Senator Perkins House messages were taken up.

H. F. No. 429, A bill for an act for the relief of Harrison county.

On motion of Senator Perkins, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Thornburg, Wilson, Wonn, Wood, Wright, and Young—36.

The nays were:

Senators McCoid, Merrell of Clinton, Mitchell, Pease, Teale, Williams, and Woolson—7.

Absent or not voting:

Senators Carr, Hitchcock, Jessup, Kinne, Stoneman, and Willett—6.

So the bill passed and the title was agreed to.

Senator Merrell of Clinton moved to reconsider the vote by which S. F. No. 159, A bill for an act creating the 14th judicial district, and providing for the election of district and circuit judges and district attorney therein, and changing the boundaries of the 3d, 4th, 5th, 11th, and 13th judicial districts, was passed.

The motion prevailed.

Senator Merrell, of Clinton, moved to reconsider the vote by which the bill was ordered to a third reading.

The motion was agreed to.

Senator Woolson moved to reconsider the vote by which the Senate refused to strike out the word "Webster," in the first section, and strike out the third section, pending which the Senate, on motion of Senator Campbell, at 12:08 adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

Senators Miller of Appanoose, Dows, and Stoneman were excused for the afternoon.

The question being on the motion of Senator Woolson, to reconsider the vote by which the Senate refused to strike out the word "Webster," in the first section, and to strike out the third section of the bill, the motion prevailed.

The question being on the motion to strike out "Webster," in the first section, and the third section of the bill, Senator Perkins moved to amend by striking out "Webster," and inserting "Ida and Crawford," in the first section.

The amendment prevailed.

Senator Perkins moved to strike out of the second section, "Ida and Crawford."

The amendment prevailed.

Senator Perkins moved to strike out the third section.

The motion prevailed.

Senator Hebard moved to reconsider the vote by which Montgomery county was added to the 13th judicial district.

The motion was agreed to.

The question then recurring on the motion by which Montgomery was inserted in section 4, the motion was lost.

Senator Hartshorn moved to reconsider the vote by which Adair county was taken from the fifth district and added to the third district.

The motion prevailed.

The question recurring on the motion to add Adair county to the third district, Senator Woolson moved to amend by striking out of 6th section the word "Adair" and insert in 4th section.

The motion prevailed.

On motion of Senator Young the 6th section was stricken from the bill.

Senator Young moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rotherbert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were:

Senator Murphy—1.

Absent or not voting:

Senators Carr, Dows, Hitchcock, McCoid, Stoneman, and Willett—6.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of substitute for S. F. Nos. 67, and 96, A bill for an act to enable townships, and incorporated towns and cities, to aid in construction of railroads, the bill was taken up.

On motion of Senator Nichols, the bill was considered by sections. Senator Campbell moved to amend the 1st section, by inserting after city in second line, the following: "in which no tax has heretofore been voted, collected and paid over."

The amendment was lost.

Senator Murphy moved to strike out the enacting clause of the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Campbell, Conaway, Dashiell, Dwelle, Gilmore, Kinne, Larrabee, McCoid, McCormack, Merrell of Clinton, Murphy, Rumble, Wood, and Young—14.

The nays were:

Senators Arnold, Bailey, Bestow, Clark, Cooley, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Lovell, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rotherbert, Teale, Thornburg, Williams, Wilson, Wonn, Woolson, Wright, and Young—30.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Stoneman, and Willett—5.

So the Senate refused to agree to the motion.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes.

H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to the fees of witnesses.

H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to Insurance Companies, and enact a substitute therefor.

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees.

Also that the House has concurred in Senate amendments to the following titles:

H. F. No. 60, A bill for an act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns.

H. F. No. 6, A bill for an act to amend chapter 43 of the acts of the Fourteenth General Assembly, and for other purposes.

H. F. No. 13, A bill for an act to amend section 3814 of chapter 3, title 23 of the Code, relating to fees of witnesses.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and enact a substitute therefor.

H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees.

J. W. LOGAN, *Chief Clerk.*

Senator Perkins moved to strike out of fourteenth line in section 2, the word "majority" and insert "two-thirds."

The motion prevailed.

Senator Perkins moved to insert in thirteenth line of section 2, after the word "perform," the words "*provided*, that in all cases such notice shall at least stipulate that the road to be aided, shall be fully graded in the township, incorporated town or city before the tax or any portion of the same shall be made collectible by the county treasurer."

Senator Nichols moved to amend the amendment by inserting after the word "city" the words "through which the same is located."

The amendment to the amendment prevailed.

Senator Dashiell moved to amend the amendment by striking out the words "fully graded" and insert the words "completed and the cars running into said town or township, on said road."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Clark, Conaway, Dashiell, Gilmore, Kinne, McCoid,

McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Newton, Pease, Rumble, and Wilson—15.

The nays were:

Senators Arnold, Bailey, Campbell, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rothert, Teale, Thornburg, Williams, Wonn, Wood, Woolson, Wright, and Young—28

Absent or not voting:

Senators Carr, Dows, Hitchcock, Merrill of Wapello, Stoneman, and Willett—6.

The amendment to the amendment was lost.

On the adoption of the amendment offered by Senator Perkins, as amended, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright and Young—41.

The nays were:

Senators Larrabee and Murphy—2.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Merrill of Wapello, Stoneman and Willett—6.

So the amendment as amended was adopted.

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined,

H. F. No. 13, A bill for an act to amend section 3814, of chapter 3, title 23 of the Code, relating to the fees of witnesses,

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling, and to punish the same.

H. F. No. 135, A bill for an act to repeal section 1156, title 9, chapter 4, in relation to insurance companies, and to enact a substitute therefor,

H. F. No. 188, A bill for an act to amend section 3808 of the Code, relating to the fees of township trustees,

H. F. No. 6, A bill for an act to amend chapter 43, of the acts of the Fourteenth General Assembly, and for other purposes,

Substitute for H. F. No. 61, A bill for an act in relation to evidence in actions upon accounts.

And find the same correctly enrolled.

HARMON, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling and to punish the same.

JAS. W. LOGAN, *Chief Clerk.*

Senator Teale moved to amend section 2 by adding the following: "or as may be stated in the petition asking said election."

The amendment was adopted.

Senator Woolson moved to add to section 2 the following:

Provided, That when said submission is sought to the voters of any township which contains all or a part of any incorporated city or town, the petitions shall be considered as to said city or town, and as to said township outside of such city or town separately, and unless such petitions are signed by one-third of the resident tax-payers of said township outside of said city or town, and also by one-third of the resident tax-payers of such city or town, no election shall be ordered; and at such election, unless two-thirds of the votes cast by electors outside of such city or town, and also two-thirds of the votes cast by the electors of such city or town, are in favor of such taxation, no tax shall be ordered, but said question shall be considered as decided against taxation; and the ballots cast at such election by the electors of said city or town, and by the electors of the township outside of said city or town, shall be placed in separate boxes, and separately canvassed.

Senator Dashiell offered the following as a substitute for the amendment offered by Senator Woolson to section 2.

In all cases where any township contains an incorporated city or town there should be a separate petition, order, and election as the said incorporated city or town and the rest of said township.

The Senate refused to adopt the substitute.

The question recurring on the adoption of the amendment offered by Senator Woolson, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Dashiell, Hartshorn, Miller of Appanoose, Thornburg, and Woolson—7.

The nays were:

Senators Arnold, Campbell, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Williams, Wilson, Wonn, Wood, Wright, and Young—36.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Kinne, Stoneman, and Willett—6.

The amendment was not adopted.

Senator Dashiell moved to amend section 5 by adding after the word "railroad," in the fourth line, the words "to be built in said township, incorporated city or town."

Senator Nichols offered the following as a substitute for the amendment offered by Senator Dashiell:

"Proposed to be constructed in the county or adjoining township in another county."

The substitute was not adopted.

On the adoption of the amendment offered by Senator Dashiell, the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Clark, Conaway, Dashiell, Gilmore, McCormack, Merrell of Clinton, Rumble, and Thornburg—10.

The nays were:

Senators Arnold, Bailey, Cooley, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Teale, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—32.

Absent or not voting:

Senators Carr, Dows, Hitchcock, Kinne, Pease, Stoneman, and Willett—7.

The amendment was lost.

Senator Rothert moved that a committee of conference be appointed on the part of the Senate, on the disagreeing vote of the two Houses on H. F. No. 115, A bill for an act to amend section 1753 of chapter 9, title 12 of the Code, relating to compensation of school officers.

The motion prevailed, and the President appointed as such committee Senators Rothert, Miller of Appanoose, and Teale.

Senator Rumble moved to reconsider the vote by which S. F. No. 111, A bill for an act to repeal section 982 of chapter 2, title 7 of the Code of 173, relating to expenditure of highway tax; and to enact a substitute therefor, was lost, and postpone further consideration until Tuesday morning next at 10½ o'clock.

Senator Merrell of Clinton moved to lay that motion on the table.

The motion was lost.

The motion to reconsider then prevailed and was made a special order for Tuesday, March 7 at 10½ o'clock.

Senator Bailey moved that all Senators wishing to take a sleigh-ride be excused.

The motion was lost.

The Senate resumed the consideration of substitute for S. F. Nos. 67 and 96.

Senator Teale moved to strike out of section 6 the word "valueless" and insert the words "of less value."

The amendment prevailed.

Senator Nichols moved to amend section 6, by striking out "ten thousand" and inserting "eight thousand."

The amendment was adopted.

Senator Arnold moved to amend same section, by striking out "twenty thousand" and inserting "sixteen thousand."

The amendment prevailed.

On motion of Senator Teale, section 10 was stricken out.

On motion of Senator Nichols, the 11th rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Cooley, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Lovell, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rother, Teale, Thornburg, Williams, Wilson, Wonn, Wright, and Young—27.

The nays were:

Senators Bestow, Campbell, Conaway, Dashiell, Dwelle, Gilmore, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Rumble, Wood, and Woolson—16.

Absent, or not voting:

Senators Carr, Dows, Hitchcock, Kinne, Stoneman, and Willett—6.

So the bill passed and the title was agreed to.

By leave Senator Mitchell introduced S. F. No. 246, A bill for an act concerning certain delinquent taxes.

Read first and second time, and referred to the Committee on Judiciary.

At 5:07 P. M., the Senate, on motion of Senator Jessup, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 3, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Dr. Miles.

On motion of Senator Merrill of Wapello the reading of the journal of yesterday was dispensed with.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Larrabee: A petition from the citizens of Clermont asking for the continued enactment of the present liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Willett: A petition from citizens of Winneshiek county asking that the present railroad tariff law be not repealed.

Referred to Committee on Railroads.

By Senator Dows: A petition from the merchants and business men of Cedar Rapids asking for better collection laws.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Committee on Railroads: S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railroads.

Read first and second time.

On motion of Senator Campbell, the 11th rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stone-man, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Clark, Hartshorn, Hitchcock, Kinne, and Lovell—6.

So the bill passed and the title was agreed to.

By leave, Senator Miller, of Appanoose, introduced S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington and Missouri River Railroad Company the southeast quarter of section 13, the northeast quarter of the northeast quarter, and the southwest quarter of the northeast quarter of section 23, township 70, range 16, in Appanoose county, Iowa.

Read first and second time, and referred to the Committee on Public Lands.

On motion of Senator Miller, of Black Hawk, H. F. No. 133, A bill for an act empowering Township Clerks to administer oaths, was withdrawn from the files, and referred to the Committee on County and Township Organizations.

HOUSE MESSAGES.

H. F. No. 442, A bill for an act to legalize the recorded plat of the town of Tracy, now Vanmeter, Dallas county, Iowa.

Read first and second time, and referred to the Committee on Judiciary.

Substitute for H. F. Nos. 34 and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

Read first and second time, and referred to the Committee on Judiciary.

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval—

H. F. No. 304, An act to repeal section 3800, chapter 2, title 23, of the Code, and to enact a substitute therefor.

H. F. No. 60, An act to amend section 463 of the Code, title 4, chapter 10, of cities and incorporated towns.

H. F. No. 113, An act authorizing the Auditor of State to settle and

adjust revenue, insane, law and other accounts with the several county officers, and providing means to pay the expenses thereof.

H. F. No. 68, An act to amend section 1428 of the Code.

H. F. No. 97, An act to amend section 1362, chapter 1, title 11, of the Code,

H. F. No. 63, An act to quiet and confirm the title in certain lands in Appanoose county, Iowa, in George Campbell,

H. F. No. 14, An act to amend section 660, of the Code, in relation to the election of electors of President and Vice President,

H. F. No. 188, An act to amend section 3808, of the Code, relating to the fees of township trustees,

H. F. No. 135. An act to repeal section 1156, title 9, chapter 4, in relation to Insurance Companies, and to enact a substitute therefor,

Substitute for H. F. No. 61, An act in relation to evidence in actions upon accounts.

H. F. No. 13, An act to amend section 3814, of chapter 3, title 23, of the Code, relating to the fees of witnesses,

H. F. No. 6, An act to amend chapter 43, of the acts of the Fourteenth General Assembly, and for other purposes,

Substitute for S. F. Nos. 2, 4, and 13, An act to define the crime of swindling and to punish the same.

HARMON, *Chairman.*

Senator Rothert, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 153, A bill for an act to provide highways on the reform school farm at Salem, Lee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Senator Rothert, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 175, A bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amend by adding another section (12) as follows:

Section 12. *Provided*, that nothing herein contained shall in any manner effect any public library heretofore organized under the provisions of section 461, chapter 10, title 4 of the Code, unless such public library be reorganized under the provisions of this act, and when so amended that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining districts, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that it be amended by striking out in the third line on the second page the words "one mile," and inserting the words "one and one half miles," and when so amended that it do pass.

HENRY W. ROTHERT, *Chairman*.

Ordered on passed on file.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 27, A bill for an act relating to the appointment of sundry city officials, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 211, A bill for an act to provide for punishment for fraudulent disposition of personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed.

M. A. MCCOID, *Chairman pro tem*.

Ordered passed on file.

On motion of Senator Woolson H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, Chickasaw county, Iowa, was taken up with the report of the committee recommending its passage.

Senator Woolson, moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Carr, Conaway, Dows, Hartshorn, Hitchcock, and Stoneman—6.

So the bill passed and the title was agreed to.

Senator Conaway was excused until Monday.

BILLS ON SECOND READING.

S. F. No. 118, A bill for an act to abolish the office of school district treasurer and to provide for the direct disbursement of school funds by county treasurers, was taken up, with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

S. F. No. 15, A bill for an act to amend title 12, chapter 8 of the Code, relating to county high schools, was taken up, with the report of the committee recommending amendments, and when so amended it do pass.

The amendments reported by the committee were adopted.

Senator Woolson moved to amend section 1 by inserting in third line after the word "county," the words "as shown by the returns of the last preceding section."

The amendment prevailed.

Senator Dashiell moved to strike out the word "same" in second line of section 2, and insert "county."

The amendment was adopted.

Senator Merrell of Clinton moved to insert in section 1, after the word "county" in fourth line, the words "at the place in said petition named."

The President announced the arrival of the hour for the special order.

On motion of Senator Miller of Black Hawk, the special order was postponed until the bill before the Senate was disposed of.

On the amendment offered by Senator Merrell of Clinton, the yeas and nays were demanded, and the yeas were:

Senators Kinne, Lovell, Maginnis, Merrell of Clinton, Murphy, Nichols, Teale, Wilson, and Wonn—9.

The nays were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hersey, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young—31.

Absent or not voting:

Senators Arnold, Carr, Cooley, Dows, Harmon, Hebard, Hitchcock, McCormack, and Stoneman—9.

So the amendment was lost.

Senator Nichols offered a new section to the bill which was adopted.

On motion of Senator Miller of Black Hawk, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Cooley, Dashiell, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Woolson, Wright, and Young—29.

The nays were:

Senators Bestow, Campbell, Dwelle, Graham, Kinne, Larrabee, Lov-

ell, McCoid, Maginnis, Merrell of Clinton, Murphy, Newton, Teale, Wilson, Wonn, and Wood—16.

Absent or not voting:

Senators Carr, Dows, Hitchcock, and Stoneman— 4.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

On motion of Senator Rothert, substitute for H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange, which was made special order for this morning, was made a special order for Thursday next at 10½ o'clock.

Substitute for S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, was taken up and considered.

Senator Larrabee withdrew the motion to reconsider the vote by which the bill was ordered engrossed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 192, A bill for an act to repeal section 1, chapter 40, of the laws of the Fifteenth General Assembly of the State of Iowa, in regard to corporations.

H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code.

Also, that the House has passed S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and corrected indexes to its records, with an amendment to the publication clause of the bill.

Also, that the House has passed the Senate concurrent resolution in relation to the final adjournment of this General Assembly, with amendments, striking out "10th," and inserting "16th," and "12," and inserting "10," in which amendments the concurrence of the Senate is asked.

J. W. LOGAN, *Clerk.*

On motion of Senator Merrill of Wapello, H. F. No. 27, A bill for an act relating to the appointment of sundry city officials, was taken up, with the report of the committee recommending a substitute, and when adopted the substitute do pass.

On motion of Senator Murphy the bill and substitute were recommended to the Committee on Municipal Corporations.

H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code, was taken up, with the report of the Committee on Schools, recommending that it do not pass.

On motion of Senator McCormack the bill was committed to the Committee on Ways and Means.

S. F. No. 230, A bill for an act to provide for the publication of amendments proposed to the Constitution, was taken up with the report of the committee recommending a substitute, and the substitute adopted.

On motion of Senator Woolson, the 11th rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were none:

Absent or not voting:

Senators Carr, Conaway, Hartshorn, Hitchcock, and Stoneman—5.

So the bill passed and the title was agreed to.

On motion of Senator McCoid, H. F. No. 24, A bill for an act to repeal chapter 32 of the Public Acts of the Fifteenth General Assembly, and to re-enact section 3812 of the Code, was taken up and considered.

Senator Campbell moved to amend by striking out of section 2, the word "six" and insert "ten."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dwelle, Gallup, Graham, Hersey, Larrabee, Lovell, Mitchell, Newton, Pease, Teale, and Wood—16.

The nays were:

Senators Arnold, Clark, Dows, Gilmore, Harmon, Hebard, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—27.

Absent or not voting:

Senators Carr, Conaway, Hartshorn, Hitchcock, Jessup, and Stoneman—6.

The amendment was lost.

On motion of Senator McCoid, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Clark, Dows, Gallup, Harmon, Kinne, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—26.

The nays were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hersey, Larrabee, Lovell, Merrill of Wapello, Mitchell, Newton, Teale, and Wood—16.

Absent or not voting:

Senators Carr, Conaway, Hartshorn, Hebard, Hitchcock, Jessup, and Stoneman—7.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

The Senate concurred in House amendments to Senate resolution relative to adjournment.

Senator Larrabee moved to reconsider the vote by which the Senate concurred in the House amendments to the resolution.

Senator Larrabee moved to lay the motion to reconsider on the table.

The motion prevailed, and the motion to reconsider was laid upon the table.

Substitute for S. F. No. 5, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor; and to restore capital punishment.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dows, Gallup, Gilmore, Graham, Hartshorn, Kinne, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Nichols, Pease, Stoneman, Williams, Wilson, Wonn, and Young—25.

The nays were:

Senators Arnold, Dwelle, Harmon, Hersey, Jessup, Lovell, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Wood, Woolson, and Wright—20.

Absent or not voting:

Senators Carr, Conaway, Hitchcock, and Hebard—4.

So the bill having failed to receive a constitutional majority, was lost.

Senator Stoneman raised a point of order, that there were but forty-nine members of the Senate now, and that twenty-five, a majority, could pass a bill.

The President stated that the Constitution provided that a majority of all the Senators elected was required to pass a bill, therefore the point of order was not well taken.

On concurring in House amendments to S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and correct indexes to its records, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Wilson, Wood, Woolson, Wright, and Young—39.

The nays were none.

Absent or not voting:

Senators Carr, Conaway, Cooley, Hitchcock, Jessup, Miller of Appanoose, Murphy, Stoneman, Williams and Wonn,—10.

So the Senate concurred in the House amendments.

At 11:55 A. M., the Senate, on motion of Senator Bestow, adjourned

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment and was called to order by the President.

BILLS ON SECOND READING.

S. F. No. 197, A bill for an act to repeal section 798 of the Code of Iowa, was taken up with the report of the committee recommending it be indefinitely postponed, and the report of the committee concurred in.

H. F. No. 31, A bill for an act to amend section 518 of the Code, in relation to the duties of mayors of cities, was taken up with the report of the committee recommending that it do pass.

Senator Woolson moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Rumble, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—34.

The nays were none:

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Kinne, Mitchell, Newton, Nichols, Rothert, Stoneman, Teale, and Wonn—15.

So the bill passed and the title was agreed to.

Senators Jessup, Nichols, and the members of the Senate Committee on Appropriations were excused.

S. F. No. 189, A bill for an act to legalize certain time warrants in Lyon township, Lyon county, Iowa, and provide for payment of the same, was taken up, and on motion of Senator Dashiell, was referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 63, A bill for an act to amend chapter 5, title 12 of the Code of 1873, and add thereto.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville, and its ordinances, and the acts of its officers thereunder.

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa, to the purchase by the United States of certain real estate situated in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereover.

JAS. W. LOGAN, *Chief Clerk.*

S. F. No. 163, A bill for an act to amend section 2900 of chapter 11, title 17, of the Code, in relation to offers to compromise, was taken up, with the report of the committee recommending a substitute, and when adopted it do pass.

The substitute was adopted.

On motion of Senator McCoid, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dasbiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—36.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Larrabee Mitchell, Newton, Nichols, Rothert, and Wonn—13.

So the bill passed and the title was agreed to.

S. F. No. 181, A bill for an act to provide for issuing executions by justices of the peace into other counties, was taken up with the report of the committee recommending that it be indefinitely postponed, and the report of the committee concurred in.

S. F. No. 199, A bill for an act to amend section 796, chapter 1, title 6, of the Code of 1873, was taken up with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

S. F. No. 198, A bill for an act to amend sections 4026, and 4028, of the Code of Iowa, relating to keeping gambling houses, and gambling and betting, was taken up with the report of the committee recommending that it do pass.

Senator Dashiell moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Larrabee, Maginnis, Miller of Appanoose, Miller of Black Hawk, Pease, Thornburg, and Woolson—13

The nays were:

Senators Bailey, Bestow, Campbell, Cooley, Hersey, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Murphy, Nichols, Perkins, Rumble, Stoneman, Teale, Willett, Williams, Wilson, Wood, Wright, and Young—22.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Harmon, Hartshorn, Hebard, Hitchcock, Jessup, Merrill of Wapello, Mitchell, Newton, Rothert, and Wonn—14.

So the motion to indefinitely postpone did not prevail.

Senator Larrabee moved to amend by inserting after the word "billiard" the words "three card monte and croquet."

The amendment was lost.

On motion of Senator Rumble, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Cooley, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Nichols, Rumble, Stoneman, Willett, Williams, Wonn, Wood, Wright, and Young—17.

The nays were:

Senators Campbell, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Hebard, Hersey, Larrabee, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Teale, Thornburg, Wilson, and Woolson—21

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Harmon, Hartshorn, Hitchcock, Jessup, Mitchell, Newton, and Rothert—11.

So the bill having failed to receive a constitutional majority was lost.

H. F. No. 207, A bill for an act to amend chapter 6, title 13 of the Code, was taken up, with the report of the committee recommending amendments.

Senator Larrabee moved to strike out "effect" and insert the word "approved" in the amendment proposed by the committee.

The motion was agreed to.

The report of the committee as amended was adopted.

On motion of Senator Woolson, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Dashiell, Dwelle, Gilmore, Hebard, Hersey, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Murphy, Nichols, Pease, Perkins, Teale, Thornburg, Williams, Woolson, and Wright—21.

The nays were:

Senators Campbell, Cooley, Gallup, Graham, Kinne, Lovell, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Rumble, Stoneman, Willett, Wilson, Wood, and Young—15.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Dows, Harmon, Hartshorn, Hitchcock, Jessup, Mitchell, Newton, Rothert, and Wonn—13.

So the bill having failed to receive a constitutional majority was lost.

JOINT RESOLUTION.

Joint resolution agreeing to a proposed amendment of section 1, of article 2, and section 4, of article 3 of the Constitution of the State of Iowa.

WHEREAS, The Fifteenth General Assembly of the State of Iowa did, in due form, by a majority of the members elected to each of the two Houses, agree to a proposed amendment to the Constitution as follows, to-wit:

First. Strike from section 1 of article 2 of said constitution the word "male."

Second. Strike from section 4 of article 3 of said constitution the word "male." And

WHEREAS, Said proposed amendments were entered upon the journals of both Houses, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the general election to be held in the year A. D. 1875; and the same having been published, as provided by law, for three months previous to the time of the election of this, the Sixteenth General Assembly; therefore,

Be it Resolved by the General Assembly of the State of Iowa, That the said amendments are hereby ratified, agreed to, and confirmed, and the same shall be submitted to the people at the next general election for their approval or rejection.

It shall be the duty of the Secretary of State to see that the provisions of this joint resolution are carried into effect in the manner provided by law, was taken up.

Senator Willett moved to strike out all after the word "male" in the fifth line.

Senator Perkins moved that it be made a special order for Tuesday next at 10 o'clock.

The motion prevailed.

H. F. No. 229, A bill for an act to compel township clerks to post up statement of receipts and disbursements at each general election, was taken up, with the report of the committee recommending that it do pass.

Senator Campbell moved to suspend the 11th rule and read the bill a third time now.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Mitchell, Newton, Rothert, and Wonn—11.

So the bill passed and the title was agreed to.

S. F. No. 145, A bill for act to repeal parts of chapter 6, of title 11 of the Code, pertaining to intoxicating liquors and to regulate the manufacture and sale thereof, was taken up, with the minority report of the committee and passed on file.

S. F. No. 206, A bill for an act to amend section 1793 of the Code, was taken up, with the report of the committee recommending its passage, and passed on file.

S. F. No. 160, A bill for an act to regulate the exemption of the property of religious societies from taxation and amendatory of section 797, chapter 1, title 6 of the Code, was taken up, with the report of the committee recommending its indefinite postponement, and the report of the committee concurred in.

S. F. No. 155, A bill for an act to authorize township boards of trustees to construct town houses, was taken up, with the report of the com-

mittee recommending amendments and when so amended it do pass, and on motion of Senator Woolson was made a special order for to-morrow morning at 10 o'clock.

S. F. No. 70, A bill for an act to amend sections 1774 and 1776 of the Code of 1873, prescribing the duties of county superintendent and fixing the salary of such officer, was taken up, with a substitute reported by the committee, and passed on file.

S. F. No. 106, A bill for an act amending sections 1207, 1212, and 1216 of chapter 2, title 10 of the Code, in relation to drains, ditches, and water-courses, was taken up, with the report of the committee recommending a substitute, and when adopted the substitute do pass.

The substitute was adopted.

On motion of Senator Willett, the 11th rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Wright, and Young—37.

The nays were:

Senators Dashiell, and Woolson—2.

Absent or not voting:

Senators Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, McCoid, Newton, Rothert, and Wonn—10.

So the bill passed and the title was agreed to.

The petition of David Armstrong asking for an allowance of \$1,441.22 on a stone contract for State Capitol, as reported back from the Committee on Claims, was on motion of Senator Kinne indefinitely postponed.

S. F. No. 21, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly in relation to game, was taken up with the report of the committee recommending a substitute, and the substitute adopted.

On motion of Senator Wright, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rumple, Teale, Thornburg, Williams, Wood, Woolson, Wright, and Young—32.

The nays were:

Senators Bailey, Kinne, Willett, and Wilson—4.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Miller of Appanoose, Mitchell, Newton, Rothert, Stoneman, and Wonn—13.

So the bill passed and the title was agreed to.

By leave Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 27, A bill for an act to regulate the election and appointment of sundry city officials in certain cities of the first class, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute be adopted, and when so adopted it do pass.

McCoid, Chairman.

Ordered passed on file, and on motion of Senator McCoid the bill was taken up and considered. The substitute was adopted.

On motion of Senator Murphy, the 11th rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Cooley, Dows, Dwelle, Gallup, Gilmore, Harmon, Hebard, Hersey, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wright, and Young—29.

The nays were:

Senators Campbell, Dashiell, Graham, McCoid, Merrell of Clinton, Mitchell, Nichols, Teale, and Wood—9.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Newton, Rothert, Wonn, and Woolson—11.

So the bill passed and the title was agreed to.

Senator Dows moved that when the Senate adjourn, it adjourn at 4:45 this afternoon.

The motion prevailed.

H. F. No. 416, A bill for an act providing for the payment of the claim of James Harvey, was taken up, with the report of the committee recommending its passage.

Senator Williams moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hebard, Lovell, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Perkins, Thornburg, Willett, Williams, and Wilson—22.

The nays were:

Senators Bestow, Campbell, Graham, Larrabee, McCormack, Pease, Stoneman, Teale, Wood, Woolson, Wright, and Young—12.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, McCoid, Mitchell, Newton, Rothert, Rumble, and Wonn—15.

So the bill, having failed to receive a constitutional majority, was lost.

Senator Larrabee moved to reconsider the vote by which the bill was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Wright—36.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Kinne, Mitchell, Newton, Rothert, Wonn, and Young—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the the following bills in which the concurrence of the Senate is asked:

H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873.

Substitute for H. F. No. 253, A bill for an act appropriating money to pay the expenses of the commissioners appointed by Governor C. C. Carpenter, to investigate the affairs of the Iowa Reform School.

Also, that the House has passed S. F. No. 104, A bill for an act for the relief and support of the Iowa State Agricultural Society, without amendment.

JAS. W. LOGAN, *Chief Clerk.*

H. F. No. 121, A bill for an act appropriating \$550.50, in payment of claim of E. Blakesley, was taken up, with the report of the committee recommending that it do pass.

On motion of Senator Merrell of Clinton, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Woolson, Wright, and Young—35.

The nays were:

Senator McCoid—1.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Kinne, Mitchell, Newton, Rothert, Wonn, and Wood—13.

So the bill passed and the title was agreed to.

S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats, was taken up with the report of the committee recommending it do pass.

Senator Williams moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Nichols, Pease, Perkins, Rample, Stoneman, Teale, Thornburg, Willet, Williams, Wood, Wright, and Young—34.

The nays were:

Senators Larrabee, and Woolson—2.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Hartshorn, Hitchcock, Jessup, Kinne, Mitchell, Newton, Rothert, Wilson, and Wonn—13.

So the bill passed and the title was agreed to.

S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code, was taken up with the report of the committee recommending a substitute, and when adopted the substitute do pass.

Senator Bailey moved to amend the substitute by inserting the word "two" before the word "stays," and strike out the words "not more than nine feet apart."

The amendment was adopted.

Senator Merrell of Clinton, moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Nichols, Rample, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—28.

The nays were:

Senators Dashiell, McCoid, Maginnis, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, and Perkins—8.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Dows, Hartshorn, Hitchcock, Jessup, Kinne, Mitchell, Newton, Rothert, and Wonn—13.

So the bill passed and the title was agreed to.

S. F. No. 245, A bill for an act to change the name of the village plat of the town of Yankee Settlement Center, in Clayton county, Iowa, was taken up.

Senator Stoneman moved to suspend the 11th rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Nichols, Pease, Perkins, Stoneman, Teale, Thornburg, Williams, Wilson, Wood, and Wright—29.

The nays were:

Senators Dashiell, Graham, Miller of Black Hawk, Rumble, Willett, Woolson, and Young—7.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Cooley, Hartshorn, Jessup, Kinne, Mitchell, Newton, Rothert, and Wonn—12.

So the bill passed, and the title was agreed to.

The Senate stood adjourned until 9:30 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, IOWA, March 4, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. A. Nash.

On motion of Senator Graham, the reading of yesterday's journal was dispensed with.

INTRODUCTION OF BILLS.

By leave Senator Graham introduced S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances, and the acts of its officers thereunder.

Read first and second time and referred to the Committee on Judiciary.

By leave Senator Maginnis introduced S. F. No. 250, A bill for an act to regulate the keeping of saloons, taverns, drinking houses, gaming houses, and other places where persons resort for the purpose of drinking and gaming.

Read first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

By leave Senator Williams introduced S. F. No. 251, A bill for an act to amend sections 303 and 305 of the Code of 1873, title 4, chapter 2.

Read first and second time, and referred to the Committee on Roads and Highways.

By leave Senator Bailey introduced S. F. No. 252, A bill for an act fixing compensation in summoning of jurors.

Read first and second time, and referred to the Committee on Compensation of Public Officers.

By Committee on Banks: S. F. No. 253, A bill for an act to provide for the individual liability of the stock holders of banks and incorporations under the general incorporation law for banking purposes.

Read first and second time, ordered printed, and passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 259, A bill for an act to legalize the official acts and ordinances of the town council of the town of Creston, Union county, Iowa.

H. F. No. 407, A bill for an act to legalize the incorporation of the town of Lawler, in Chickasaw county, Iowa, and certain proceedings had under said incorporation.

H. F. No. 24, A bill for an act to repeal chapter 32, of the public acts of the Fifteenth General Assembly, and enact section 3812 of the Code.

H. F. No. 429, A bill for an act for the relief of Harrison county.
JAS. W. LOGAN, *Chief Clerk*.

RESOLUTIONS.

Senator Woolson offered the following resolution:

Resolved, That the following is hereby adopted as an additional rule of the Senate.

RULE 27. It shall be the duty of the Secretary to have the journal of each days proceedings printed, and copies thereof placed upon the desks of the President and Senators, within three days after approval by the Senate.

Resolution referred to a special committee of three, viz: Senators Woolson, Campbell, and Merrell of Clinton.

Senator Perkins offered a joint resolution with reference to the McGregor land grant.

Read first and second time, and referred to the Committee on Railroads.

HOUSE MESSAGES.

H. F. No. 192, A bill for an act to repeal section 1 chapter 40 of the Fifteenth General Assembly, and enact a substitute therefor.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873.

Read first and second time, and referred to the Committee on Public Lands.

H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code.

Read first and second time, and referred to Committee on Judiciary.

Substitute for H. F. No. 253, A bill for an act appropriating money

to pay the expenses of the commission by Governor C. C. Carpenter to investigate the affairs of the Iowa Reform School.

Read first and second time, and referred to the Committee on Claims.

SPECIAL ORDER.

The hour having arrived for the consideration of S. F. No. 155, A bill for an act to authorize township boards of trustees to construct town-houses,

On motion of Senator Miller, of Black Hawk, the bill was made a special order for March 9th, at 10 o'clock P. M.

Senators Arnold, Clark, Rumple, Murphy, Wilson, and Merrill of Wapello were excused until Tuesday next.

Senators Rothert and Wright were excused until Wednesday next.

Senators Lovell and Graham were excused until Monday.

Senator Jessup was excused on account of sickness.

Senator McCormack was excused for the day.

Senator Merrell, of Clinton, moved that when the Senate adjourn, it adjourn until Tuesday morning next at 9½ o'clock.

On this question the yeas and nays were demanded, and the yeas were:

Senators Clark, Cooley, Gallup, Graham, Hartshorn, Hersey, Kinne, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rothert, Rumple, Stoneman, Wilson, Woolson, Wright, and Young—21.

The nays were:

Senators Bailey, Bestow, Campbell, Dashiell, Dows, Dwelle, Gilmore, Hebard, Larrabee, Miller of Appanoose, Newton, Pease, Teale, Thornburg, Willett, Williams, Wonn and Wood—18.

Absent or not voting:

Senators Arnold, Carr, Conaway, Harmon, Hitchcock, Jessup, Lovell, McCoid, McCormack, and Merrill of Wapello—10.

The motion to adjourn prevailed.

On motion of Senator Perkins, the special order set for Tuesday next at 9 A. M., being the joint resolution proposing certain amendments to the Constitution, was made a special order for Wednesday next.

Senator Murphy moved to reconsider the vote by which S. F. No. 198, A bill for an act to amend sections 4026 and 4028 of chapter 9, of title 24, of the Code, relating to keeping gambling houses, and to gambling and betting, failed to pass the Senate on yesterday, and to postpone the consideration of said motion until Wednesday next at 2 o'clock P. M.

Senator Dashiell moved to lay that motion on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Campbell, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Larrabee, Maginnis, Pease, Willett, and Woolson—14.

The nays were:

Senators Arnold, Bestow, Clark, Cooley, Dows, Gallup, Hartshorn, Kinne, Merrell of Clinton, Miller of Appanoose, Miller of Black

Hawk, Mitchell, Murphy, Newton, Nichols, Rothert, Rumble, Stone-
man, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young
—25.

Absent or not voting:

Senators Carr, Conaway, Hitchcock, Jessup, Lovell, McCoid, Mc-
Cormack, Merrill of Wapello, Perkins, and Teale—10.

So the motion to lay upon the table was lost.

Senator Murphy's motion was then agreed to.

REPORTS OF COMMITTEES.

Senator Merrell of Clinton, from the Committee on Public Lands,
submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was
referred S. F. No. 248, A bill for an act authorizing the Auditor of
State to negotiate with and purchase from the Burlington and Missouri
River Railroad to the southeast quarter of section 13, the northeast
quarter of the northeast quarter and the southwest quarter of the north-
east quarter of section 23, township 70, range 16, in Appanoose county,
Iowa, beg leave to report that they have had the same under considera-
tion and have instructed me to report the same back to the Senate with
the recommendation that it do pass.

N. A. MERRELL, *Chairman.*

Ordered passed on file.

Senator Cooley, from the Committee on Insurance, submitted the
following report:

MR. PRESIDENT:—Your Committee on Insurance, to whom was re-
ferred H. F. No. 196, A bill for an act relating to life insurance and to
prevent injustice to the assured, beg leave to report that they have had
the same under consideration and have instructed me to report the
same back to the Senate with the recommendation that it do pass.

D. N. COOLEY, *Chairman.*

Ordered passed on file.

Senator Cooley, from the Committee on Banks, submitted the follow-
ing report:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred
S. F. No. 184, A bill for an act to extend the provisions of chapter 9,
title 14 of the Code, to private bankers and incorporated banking asso-
ciations, and to repeal section 1574 of the Code, and provide a substi-
tute therefor, beg leave to report that they have had the same under
consideration and have instructed me to report the same back to the
Senate with the recommendation that it be indefinitely postponed.

D. N. COOLEY, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Corporations,
submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to
whom was referred H. F. No. 136, A bill for an act to authorize cities
and towns to settle and adjust certain indebtedness, and to provide
for payment of the same, beg leave to report that they have had the
same under consideration, a majority concurring, and have instructed

me to report the same back to the Senate with the recommendation that it do pass.

M. A. McCOID, *Chairman*.

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 394, A bill for an act to amend chapter 34 of the Code, and laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Railroads.

G. R. WILLETT, *Chairman*.

Ordered passed on file, and the bill so referred.

Senator Campbell, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred S. F. Nos. 138 and 174, A bill for an act relating to taxes levied in the aid of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute with the recommendation that the same do pass.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 194, A bill for an act to repeal section 3829 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. G. HERSEY, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined

S. F. No. 63, A bill for an act to amend chapter 5, title 12 of the Code of 1873, and add thereto.

S. F. No. 82, A bill for an act to legalize the incorporation of the town of Centerville and its ordinances, and the acts of its officers thereunder.

S. F. No. 229, A bill for an act giving the consent of the General Assembly of the State of Iowa to the purchase by the United States of certain real estate situated in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereunder.

Joint Resolution, instructing our Senators and requesting our Representatives in Congress to prevent an extension of patent on "Wilson's patent on feed motion" and similar patents on sewing machines.

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa to have made new and correct indexes to its records.

And find the same correctly enrolled.

HARMON, *Chairman*.

RESOLUTION.

By leave, Senator Woolson introduced the following joint resolution, proposing to amend the Constitution of the State of Iowa:

Be it enacted by the General Assembly of the State of Iowa: That the following amendments to the Constitution of the State of Iowa are hereby proposed, as additional sections of article 8 of said Constitution:

SECTION 13. No railroad corporation shall consolidate, in stock, property, or franchises, with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place, except upon public notice given, of at least sixty days, to all stockholders, in such manner as may be provided by law. A majority of the directors of any railroad corporation now incorporated, or hereafter to be incorporated by the laws of this State, shall be citizens and residents of this State.

SEC. 14. No railroad corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all stock dividends and other fictitious increase of the capital stock or indebtedness of any such incorporation shall be void. The capital stock of no railroad corporation shall be increased for any purpose, except upon giving sixty days' public notice, in such manner as may be provided by law.

Read first and second time, ordered printed, and referred to the Committee on Constitutional Amendments.

BILLS ON SECOND READING.

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm, at Salem, Lee county, was taken up, with the report of the committee that it do pass.

On motion of Senator Pease the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rump, Stoneman Teale, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—36.

The nays were:

Senator Thornburg—1.

Absent or not voting:

Senators Carr, Conaway, Dows, Hitchcock, Jessup, Kinne, Lovell, McCoid, McCormack, Merrill of Wapello, Murphy, and Wonn—12.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, H. F. No. 196, A bill for an act relating to life insurance, and to prevent injustice to the assured, was taken up, with the report of the committee that it do pass, and considered.

Senator Woolson moved to amend section 1, by striking out the words "now or."

The amendment was not adopted.

On motion of Senator Cooley, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wonn, Wood, and Young—33.

The nays were:

Senators Dashiell, Miller of Appanoose, Stoneman, Woolson, and Wright—5.

Absent or not voting:

Senators Carr, Conaway, Hitchcock, Jessup, Lovell, McCoid, McCormack, Merrill of Wapello, Nichols, Teale, and Wilson—11.

So the bill passed and the title was agreed to.

On motion of Senator Wright H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same, was taken up with the report of the committee recommending that it do pass.

Senator Wright moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rumble, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—36.

The nays were none.

Absent or not voting:

Senators Carr, Conaway, Harmon, Hitchcock, Jessup, Lovell, McCoid, McCormack, Merrill of Wapello, Pease, Rothert, Teale, and Wilson—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House substitute for H. F. No. 156 and S. F. No. 159, A bill for an

act creating the fourteenth judicial district, and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the fourth judicial district.

Also, that the House has appointed Messrs. Johnston of Dubuque, Stuart, and Hobbs a committee on the disagreeing votes on amendment to H. F. No. 115, A bill for an act to amend section 1733 of chapter 9, title 12, of the Code, relating to compensation of school officers.

Also, that the House has agreed to Senate amendment to H. F. No. 27, A bill for an act relating to the appointment of sundry city officers.

Also, S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers, with an amendment to publication clause, noted in the bill, in which the concurrence of the Senate is asked.

Also, I herewith present for your signature, the following bills, which have passed both branches of the General Assembly, and been duly signed by the Speaker of the House:

S. F. No. 244, A bill for an act authorizing Woodbury county, Iowa, to have made new and correct indexes to its records.

S. F. No. 104, A bill for an act for the support of the Iowa State Agricultural Society.

Also, joint resolution in relation to extension of certain patents.

J. W. LOGAN, *Chief Clerk*.

Senator McCoid was excused for the day.

On motion of Senator Murphy, House messages were taken up.

On the question of concurring in the House amendment to S. F. No. 30, A bill for an act to authorize certain cities to provide for the construction of sewers. The yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Maginnis, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Newton, Perkins, Rumpie, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, Wright, and Young—33.

The nays were none.

Absent or not voting:

Senators Carr, Clark, Conaway, Hitchcock, Jessup, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Nichols, Pease, Rothert, Teale, Wilson, and Woolson—16.

So the Senate concurred in the House amendment.

Substitute for S. F. No. 159 and H. F. No. 156, A bill for an act creating the fourteenth judicial district, and providing for the election of district and circuit judges and a district attorney therein, and changing the boundaries of the fourth judicial district.

Read first and second time.

On motion of Senator Hartshorn, the eleventh rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumpie, Stoneman, Teale, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were none:

Absent or not voting:

Senators Carr, Clark, Conaway, Hitchcock, Jessup, Lovell, McCoid, McCormack, Merrill of Wapello, Pease, and Wilson—11.

So the bill passed and the title was agreed to.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining districts, and enacting a substitute therefor, was taken up with the report of the committee recommending an amendment, and when so amended it do pass.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 27, A bill for an act relating to the appointment of sundry city officers.

JAS. W. LOGAN, *Chief Clerk.*

Senator Campbell offered the following resolution, as an amendment to the bill:

And when parents make a temporary residence in an adjoining district for the purposes of securing the advantages of said schools, the district into which they shall so remove shall be entitled to a pro rata share of the tax for teachers and contingent of the district from which they come.

The amendment was lost.

The committee amendments were then adopted.

On motion of Senator Miller of Black Hawk, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard Hersey, Kinne, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Pease, Perkins, Ruple, Stoneman, Teale, Thornburg, Williams, Wonn, Woolson, Wright, and Young—29.

The nays were:

Senators Bestow, Campbell, Larrabee, Newton, Willett, Wood—6.

Absent or not voting:

Senators Arnold, Carr, Clark, Conaway, Gallup, Hitchcock, Jessup, Lovell, McCoid, McCormack, Merrill of Wapello, Murphy, Rothert, and Wilson—14.

So the bill passed and the title was agreed to.

On motion of Senator Kinne, the Senate at 12:10 P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 7, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Journal of the last day's proceedings was read and approved.

PETITIONS AND MEMORIALS.

By Senator Woolson. A petition from citizens of Henry county asking that no change be made in the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Carr. A petition from the Bar of Cedar county, asking that no change be made in the law relating to short-hand reporters.

Referred to the Committee on Compensation of Public Officers.

By Senator Stoneman. A petition against the passage of an act amending section 1555 of the Code.

Referred to Committee on Suppression of Intemperance.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

Substitute for H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Fort Dodge, in the township, county and State aforesaid, for the year A. D. 1870.

Substitute for H. F. No. 337 and S. F. No. 230, A bill for an act providing for the publication of propositions to amend the Constitution, and for other purposes connected therewith.

H. F. No. 364, A bill for an act to legalize road taxes in the county of Howard, etc.

H. F. No. 377, A bill for an act to repeal section 1271 and enact a substitute therefor.

H. F. No. 406, A bill for an act to amend section 2272, chapter 5, title 15 of the Code, in relation to guardianship.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors by the township clerk.

H. F. No. 473, A bill for an act to legalize the official acts of G. G. N. Fuller, a justice of the peace in Harrison county, Iowa.

H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7 of the Code.

H. F. No. 247, A bill for an act to repeal section 576, title 4 of the Code, and enact a substitute therefor.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto any excess of revenue due to said counties for State taxes.

H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa.

H. F. No. 275, A bill for an act to legalize the official acts of S. L. Emerson and J. M. Thompson, as Trustees, and S. L. Emerson as Township Clerk of Lincoln Township, Union county, Iowa.

H. F. No. 284, A bill for an act to perfect title in certain lands to Matilda Carter.

H. F. No. 222, A bill for an act to amend section 629 of the Code.

H. F. No. 26, A bill for an act relating to the law of negligence.

H. F. No. 112, A bill for an act to amend sub-division 24 of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriation for county bridges.

Substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, and 178, A bill for an act to amend title 6 of the Code, in relation to revenue.

Also, that the House has passed the following bills without amendment:

S. F. No. 44, A bill for an act to amend section 3809 of the Code.

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory, under sections 426, 427, 428, and 429 of the Code.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

S. F. No. 216, A bill for an act to legalize ordinances Nos. 142 and 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city and the conveyance of land on which to erect the same.

S. F. 233, A bill for an act to amend section 1144, of chapter 4, of title 9 of the Code, relating to fire insurance companies.

S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873.

J. W. LOGAN, *Chief Clerk.*

RESOLUTION.

Senator Mitchell offered the following concurrent resolution:

WHEREAS, The name of General James A. Williamson, of Des Moines, has been mentioned as a suitable person for the position of Secretary of War, and

WHEREAS, We recognize his distinguished services in the late war, and his ability and integrity as a man, therefore

Resolved by the Senate the House concurring That the ap-

pointment of General Williamson is respectfully recommended to the President.

Resolved further, That the Secretary of State is hereby instructed to forward the same by telegraph to the President and to our Senators and Representatives in Congress.

On motion of Senator Campbell the resolution was referred to Committee on Federal Relations.

HOUSE MESSAGES.

Substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, and 178, A bill for an act to amend title 6 of the Code, in relation to revenue.

Read first and second time, and referred to the Committee on Ways and Means.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

Read first and second time, and referred to the Committee on Municipal Corporations.

H. F. No. 112, A bill for an act to amend subdivision 24, of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriation for county bridges.

Read first and second time, and referred to the Committee on Ways and Means.

H. F. No. 222, A bill for an act to amend section 629 of the Code of 1873.

Read first and second time, and referred to the Committee on County and Township Organizations.

H. F. No. 275, A bill for an act to legalize the official acts of J. M. Thompson and S. L. Emerson as township trustees, and of S. L. Emerson as township clerk of Lincoln township, Union county, Iowa, for the year A. D. 1875.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa.

Read first and second time and referred to the Committee on Judiciary.

H. F. No. 26, A bill for an act relating to the law of negligence.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto, any excess of revenue due to said counties, excepting State taxes.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 247, A bill for an act to repeal section 576, chapter 1 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to the Committee on Highways.

H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7 of the Code.

Read first and second time, and referred to the Committee on Highways.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Harrison county, Iowa.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 470, A bill for an act to amend section 978. of the Code, relating to the appointment of road supervisors.

Read first and second time, and referred to the Committee on Highways.

H. F. No. 406, A bill for an act to amend section 2272, chapter 5, title 15 of the Code, in relation to guardianship.

Read first and second time, and referred to the Committee on Judiciary.

H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

Read first and second time, and referred to the Committee on Judiciary.

Substitute for H. F. No. 337, and S. F. No. 230, A bill for an act providing for the publication of propositions to amend the Constitution and for other purposes connected therewith.

Read first and second time, and referred to the Committee on Judiciary.

Substitute for H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wakhonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize the levy of taxes within said township and within the corporate limits of the city of Fort Dodge, in the township, county and State aforesaid, for the year A. D. 1870.

Read first and second time, and referred to the Committee on Municipal Corporations.

H. F. No. 284, A bill for an act to perfect title in certain lands to Matilda Carter.

Read first and second time.

On motion of Senator Bestow the eleventh rule was suspended and the bill read a third time now.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumple, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Graham, McCoid, Merrill of Wapello, Nichols, Perkins, Rothert, and Teale—7.

So the bill passed and the title was agreed to.

Senators Graham, Nichols, McCoid and Rothert were excused.

H. F. No. 364, A bill for an act to legalize the levy of certain road taxes in the County of Howard, and the extending of the same upon the tax books of said county, was read first and second time.

Senator Bailey moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Gallup, Gilmore, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumpel, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—37.

The nays were:

Senators Dashiell, Dows, and Teale—3.

Absent or not voting:

Senators Dwelle, Graham, Hebard, McCoid, Merrill of Wapello, Nichols, Perkins, Rothert, and Wonn—9.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred H. F. No. 394, A bill for an act to amend chapter 34 of the local laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 145, A bill for an act to repeal parts of chapter 6, of title 11 of the Code, pertaining to intoxicating liquors and to regulate the sale of the same, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

JESSUP, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined, H. F. No. 27, A bill for an act to provide for the election of certain officers in certain cities of the first class, and find the same correctly enrolled.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

S. F. No. 82, An act to legalize the incorporation of the town of Centerville and its ordinances, and the acts of its officers thereunder.

S. F. No. 229, An act giving the consent of the General Assembly of the State of Iowa to the purchase by the United States of certain real estate situated in the city of Keokuk, Lee county, Iowa, and ceding jurisdiction thereover.

S. F. No. 63, An act to amend chapter 5, title 12, of the Code of 1873, and add thereto.

S. F. No. 104, An act for the support of the Iowa State Agricultural Society.

Joint resolution instructing our Senators and requesting our Representatives in Congress to prevent an extension of patents on Wilson's patent on feed motion and similar patents on sewing machines.

S. F. No. 244, An act authorizing Woodbury county, Iowa, to have made new and correct indexes to its records.

H. F. No. 24, An act to repeal chapter 32 of the public acts of the Fifteenth General Assembly, and re-enact section 3812 of the Code.

H. F. No. 407, An act to legalize the incorporation of the town of Lawler, in Chickasaw county, Iowa, and certain proceedings had under such incorporation.

H. F. No. 259, An act to legalize the official acts and ordinances of the town council of the town of Creston, Union county, Iowa.

H. F. No. 429, An act for the relief of Harrison county.

HARMON, *Chairman*.

On motion of Senator Cooley, S. F. No. 253, A bill for an act to provide for the individual liability of the stockholders of banks and incorporators, under the general incorporation law of the State, for banking purposes, was taken up and on motion of Senator Larrabee passed on file.

BILLS ON SECOND READING.

S. F. No. 211, A bill for an act to provided for punishment for fraudulent disposition of personal property, with the report of the committee recommending its passage, was taken up considered and ordered engrossed.

S. F. No. 145, A bill for an act to repeal parts of chapter 6, of title 11, of the Code, pertaining to intoxicating liquors, and to regulate the manufacture and sale thereof, with the report of a majority of the committee recommending that it do not pass, and with the report of the minority of the committee that it do pass, was taken up and considered.

Senator Gilmore moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hebard, Hersey, Hitchcock, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Rumble, Teale, Thornburg, Willett, Wood, Woolson, and Young—26.

The nays were:

Senators Bailey, Cooley, Hartshorn, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Stoneman, Williams, Wonn, and Wright—16.

Absent or not voting:

Senators Clark, Graham, McCoid, Nichols, Perkins, Rothert, and Wilson—7.

So the bill was laid on the table.

S. F. No. 175, A bill for act to authorize cities, incorporated towns

and townships to establish and maintain free public libraries and reading rooms, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

Senator Larrabee moved to amend section 10, by striking out "two" in the fourth line and inserting "one."

The amendment prevailed.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumples, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Wright—41.

The nays were none.

Absent or not voting:

Senators Graham, McCoid, Maginnis, Nichols, Perkins, Rothert, Wonn, and Young—8.

So the bill passed and the title was agreed to.

S. F. No. 70, A bill for an act to amend section 1774 and 1776 of the Code of 1873, prescribing the duties of county superintendent, and fixing the salary of such officer, with the report of the committee recommending a substitute, was taken up, and made a special order for March 9th, at 10½ o'clock.

S. F. No. 206, A bill for an act to amend section 1793 of the Code, with the report of the committee recommending its passage, was taken up and considered, and on motion of Senator Dashiell was indefinitely postponed.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington and Missouri River Railroad Company the southeast quarter of section 13, the northeast quarter of the northeast quarter, and the southwest quarter of the northeast quarter of section 23, Township 70, Range 16, in Appanoose county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Miller of Appanoose, moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumples, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Wright—41.

The nays were none.

Absent or not voting:

Senators Dows, Graham, McCoid, Nichols, Perkins, Rothert, Wonn, and Young—8.

So the bill passed and the title was agreed to.

S. F. No. 184, A bill for an act to extend the provisions of chapter 9, title 11 of the Code to private bankers and unincorporated banking associations, and to repeal section 1574 of the Code, and provide a substitute therefor, with the report of the committee recommending its indefinite postponement, was taken up, and the report of the committee concurred in.

S. F. Nos. 138 and 174, A bill for an act to amend chapters 48 and 54 of the acts of the Fifteenth General Assembly, entitled "an act relating to the taxes voted in aid of the construction of railroads," with the report of the committee recommending a substitute, and when adopted the substitute do pass.

Senator Hartshorn moved that the substitute be printed and passed on file.

The motion prevailed.

S. F. No. 194, A bill for an act to repeal section 3829 of the Code, and to enact a substitute therefor, with the report of the committee recommending its passage was taken up and considered.

Senator Campbell moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Gallup, Gilmore, Harmon, Hebard, Hersey, Jessup, Larabee, Lovell, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Thornburg, Willett, Williams, Wood, Woolson, and Young—29.

The nays were:

Senators Carr, Dwelle, Hitchcock, Kinne, McCormack, Merrell of Clinton, Murphy, Rumble, Stoneman, Teale, Wilson, and Wright—12.

Absent or not voting:

Senators Dows, Graham, Hartshorn, McCoid, Nichols, Perkins, Rothert, and Wonn—8.

So the bill passed and the title was agreed to.

H. F. No. 394, A bill for an act to amend chapter 34, of the local laws of the Fifteenth General Assembly, with the report of the committee recommending its indefinite postponement, was taken up, and the report of the committee concurred in.

SPECIAL ORDER.

Being the consideration of the motion to reconsider the vote by which S. F. No. 111, A bill for an act to repeal section 982, of chapter 2, title 7 of the Code of 1873, relating to the expenditure of highway tax, and to enact a substitute therefor, was lost.

The motion to reconsider prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Dashiell, Gilmore, Hebard, Jessup, Lovell, McCormack, Miller of Black Hawk,

Mitchell, Pease, Rumble, Thornburg, Williams, Wood, Woolson, Wright, and Young—21.

The nays were:

Senators Carr, Conaway, Cooley, Dows, Dwelle, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Kinne, Larrabee, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Newton, Stoneman, Teale, Willett, Wilson, and Wonn—23.

Absent or not voting:

Senators Graham, McCoid, Nichols, Perkins, and Rothert—5.

So the bill having failed to receive a constitutional majority was lost.

On motion of Senator Cooley, S. F. No. 253, A bill for an act to provide for the individual liability of the stockholders of banks, and incorporators under the general incorporation law of the State for banking purposes, was taken up and considered.

Senator Cooley moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumble, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—41.

The nays were:

Senators Willett, and Woolson—2.

Absent or not voting:

Senators Bestow, Graham, McCoid, Nichols, Perkins, and Rothert—6.

So the bill passed and the title was agreed to.

On motion of Senator Hartshorn, substitute for S. F. Nos. 34, 53½, and 79 were made a special order for this afternoon.

Senator Jessup moved the Senate adjourn.

The motion prevailed, and at 12:15 P. M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

Senator Campbell, from the Committee on Railroads, introduced S. F. No. 254, A bill for an act to facilitate business with railroads, express and telegraph companies.

Read first and second time.

Senator Campbell moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Black Hawk, Mitchell, Newton, Nichols, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Dows, Miller of Appanoose, and Wonn—3.

Absent or not voting:

Senators Bailey, Bestow, Gilmore, Hitchcock, Kinne, McCoid, Merrill of Wapello, Murphy, Pease, Perkins, and Rotherth—11.

So the bill passed and the title was agreed to.

The President laid before the Senate the following communication from the Secretary of State, which was read by the Secretary and passed on file:

STATE OF IOWA,
OFFICE OF THE SECRETARY OF STATE, }
DES MOINES, March 7th, 1876.

HON. JOSHUA G. NEWBOLD, *President of the Senate*.—Under the provisions of section 1280 of the Code of 1873, I have this day transmitted to the House of Representatives the reports of such railroad companies as have been filed in this office according to the requirements of said section 1280 of the Code.

Reports have been received from the Burlington & Missouri River Railroad Company, with its branches; Sioux City & St. Paul Railroad Company; Cedar Falls & Minnesota Railway Company; Dubuque & Southwestern Railroad Company; Des Moines & Fort Dodge Railroad Company, and the Iowa Railway Coal and Manufacturing Company.

I have the honor to be, sir, yours very respectfully,

JOSIAH T. YOUNG.

REPORT OF COMMITTEE.

Senator Harmon, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers.

H. F. No. 196, A bill for an act relating to life insurance and to prevent injustice to the assured.

Sub. for H. F. No. 156, and S. F. No. 159, A bill for an act enacting the fourteenth judicial district and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the fourth judicial district.

H. F. No. 186, A bill for an act to authorize cities and towns to settle

and adjust certain indebtedness, and to provide for payment of the same, and find the same correctly enrolled.

HARMON, *Chairman*.

RESOLUTION.

Senator Hebard offered the following resolution which was adopted:

Resolved by the Senate, That the Committee on Claims be authorized to send for persons and papers to aid them in deciding upon the merits of a claim growing out of the construction of the Asylum for the Deaf and Dumb at Council Bluffs.

REPORT OF COMMITTEE.

By leave, Senator Merrell of Clinton, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT:—Your Committee on Public Lands, to whom was referred H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after 93 "chapter 5, title 2," and when so amended it do pass.

N. A. MERRELL, *Chairman*.

Ordered passed on file.

On motion of Senator Merrell of Clinton, the bill was taken up and considered, and the amendment reported by the committee adopted and the bill passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of substitute for S. F. No. 34, 53½ and 95, a bill for an act making a grant of land to the McGregor and Sioux City Railway Company, and the 43d parallel Railroad Company, "approved March 31, 1868."

The bill was taken up and considered.

Senator Cooley offered a substitute for the substitute.

Senator Willett raised the point of order, that it was not in order to substitute a bill on the files for another bill on the files.

The President decided the point of order well taken.

Senator Cooley moved to strike out section 1, and insert the following:

WHEREAS, Under and by virtue of an act of Congress, approved May 12th, 1864, entitled, "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad on or near the forty-third parallel, in said State," the Twelfth General Assembly of the State of Iowa did, by an act approved March 31st, 1868, grant and confer to and upon the McGregor and Sioux City Railway Company certain lands therein described, to aid in the construction of said railway; and,

WHEREAS, Said act of Congress further provides, that in the event of a failure to construct twenty miles of said road during each and

every year from the date of the acceptance of said grant, then the State may resume said grant, and so dispose of the same as to secure the construction of a railroad on or near said forty-third parallel; and,

WHEREAS, Said McGregor and Sioux City Railway Company has failed to build said railroad, as therein required, and to perform the conditions of said grant, and has forfeited all rights to the benefits of said grant. Now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa:* That all lands, and all rights to said lands, granted or intended to be granted to the McGregor and Sioux City Railway Company, be and the same are hereby absolutely and entirely resumed by the State of Iowa, and that the same be and are as fully and absolutely vested in said State as if the same had never been granted to said railway company.

Pending which the following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 136, A bill for an act to authorize cities and towns to settle and adjust certain indebtedness and to provide for the payment of the same.

H. F. No. 13, A bill for an act to amend section 3814, of chapter 3, title 23 of the Code, relating to the fees of witnesses.

H. F. No. 196, A bill for an act relating to life insurance companies, and to prevent injustice to the assured.

H. F. No. 156, A bill for an act creating the fourteenth judicial district and providing for the election of district and circuit judges and a district attorney therein, and changing the boundaries of the fourth judicial district.

S. F. No. 30, A bill for an act to authorize cities organized under special charters to provide for the construction of sewers.

J. W. LOGAN, *Chief Clerk.*

On the adoption of the amendment offered by Senator Cooley, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Carr, Clark, Cooley, Dows, Graham, Harmon, Kinne, Lovell, McCormack, Miller of Black Hawk, Nichols, Teale, Williams, and Wonn—16.

The nays were:

Senators Arnold, Campbell, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Newton, Pease, Rumble, Stoneman, Thornburg, Willett, Wilson, Wood, Woolson, Wright, and Young—29.

Absent or not voting:

Senators McCoid, Merrell of Clinton, Perkins, and Rothert—4.

So the amendment was lost.

The pending motion of Senator Campbell was resumed, and by general consent withdrawn.

Senator Stoneman moved to strike out all after the enacting clause down to "viz." in ninth line, and insert the following as section 1:

SECTION 1. That whereas, the McGregor & Sioux City Railway

Company, now known as the McGregor & Missouri River Railway Company, has failed to comply with the conditions and provisions of the acts of the Twelfth General Assembly of the State of Iowa, approved March 31st, 1868, entitled "An act making a grant of land to the McGregor & Sioux City Railway Company,"

Now therefore, all lands or rights to lands, saving and excepting all those tracts and parcels lying within twenty miles on either side of the located or constructed line of the Sioux City and St. Paul Railroad Company and within what is known as the "over-lapping limits," heretofore granted or intended to be granted to the McGregor & Sioux City Railway Company, be and the same are hereby absolutely resumed by the State of Iowa.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Carr, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Larrabee, Lovell, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—38.

The nays were:

Senators Campbell, Cooley, and McCormack—3.

Absent or not voting:

Senators Bailey, Bestow, Clark, McCold, Perkins, Rotherth, Teale, and Wonn—8.

So the amendment was agreed to.

Senator Stoneman offered the following as section 6 to the bill, which was adopted:

SECTION 6. Nothing contained in this act shall be so construed as to affect or change the rights of the McGregor and Missouri River Railroad Company, or of the Sioux City and St. Paul Railroad Company, as now existing, in relation to lands where their rights conflict or overlap, nor shall this act in any manner affect either company in any pending litigation; and if the McGregor and Missouri River Railroad Company shall obtain right or title to any lands heretofore patented to the State for the benefit of the Sioux City and St. Paul Railroad Company, over which the last named company has constructed its road, then the McGregor and Missouri River Railroad Company shall, for the consideration of one dollar, convey and release to the Sioux City and St. Paul Railroad Company a right of way over said lands, on its present line, fifty feet in width on each side in ordinary cases, and in cases where cuts occur, such additional width as may be necessary for protection against drifting snow, not exceeding one hundred and fifty feet in width on each side of said center line of track; and if any of said lands in dispute as to title shall be finally adjudged to the Sioux City and St. Paul Railroad Company, and be owned by it when the McGregor and Missouri River Railroad Company constructs its road, or particularly designates its precise route or track to a junction with said Sioux City Road, then the last named company shall, for the consideration of one dollar, convey to the McGregor and Missouri River Railroad Company, a like right of way as above for its road.

It is further made an express condition of this grant that should the

McGregor and Missouri River Railway Company be finally adjudged to be the owner of section thirteen (13), township ninety-nine (99), range forty (40) which has been heretofore patented to the State for the use of the Sioux City and St. Paul Railroad Company, it being the section of land on which Sibley is located in Osceola county, on which large expenditures and expensive improvements have been made by the Sioux City and St. Paul Railroad Company, it shall be the duty of the McGregor and Missouri River Railway Company to permit the Sioux City and St. Paul Railroad Company to purchase said section at the price of two dollars and fifty cents per acre, and upon the tender of the purchase money therefor the last named company shall be entitled to receive said land by a conveyance of all the title received by said McGregor and Missouri River Railway Company of the United States or from the State of Iowa, and the Sioux City and St. Paul Railroad Company shall thereupon confirm said plat of Sibley and complete the title of Osceola county to the ground given for the court house and also confirm the title to all donations of lots heretofore made for school houses and church lots and fulfill and confirm all contracts made with individuals for the sale of lots in Sibley.

And it is further provided, that in case the McGregor and Missouri River Railway Company shall be constructed to a connection with the Sioux City and St. Paul Railroad Company at Sheldon then the last named company in consideration of the foregoing beneficial privileges shall donate right of way and suitable depot grounds in the village of Sheldon to said McGregor and Missouri River Railway Company.

Senator Cooley moved to fill the blank in section 2 by inserting "fifty thousand," and to insert after the word "dollars" the words "liquidated damages within sixty days after the passage of this act."

The amendment was adopted.

Senator Campbell offered the following as an addition to section 1, which was adopted:

Provided, That Federal legislation be had in 1876 by which the McGregor and Missouri River Railway Company is permitted to make its junction with the Sioux City & St. Paul Railroad west or south-west of Primghar, outside of O'Brien county, then in that event said McGregor & Missouri River Railroad shall be constructed from Spencer to Primghar, and thence to such point of intersection with the Sioux City & St. Paul Railroad as the McGregor & Missouri River Railroad Company may designate.

And if such Federal legislation is had after 1876, then said McGregor & Missouri River Railway Company may intersect the Sioux City & St. Paul Railroad at such point as the McGregor & Missouri River Railway Company may determine.

Senator Woolson offered the following additional to section 1, which was adopted:

And provided further, said railroad company, or any other railroad company accepting the provisions of this act, shall at all times be subject to such rules, regulations, and rates of tariff for the transportation of freight and passengers as may from time to time be enacted and provided for by the General Assembly of the State of Iowa, and further subject to the conditions, limitations, restrictions and provisions

contained in this act, and in the acts of Congress granting said lands to the State of Iowa; and the filing by any railroad company of the bond hereinafter provided, shall be taken and accepted as an acceptance by the company and so filing of the above proviso and each part thereof.

Senator Larrabee moved to add to end of ninth line of section 4, "and subject to all provisions of this act."

The motion was adopted.

Senator Larrabee moved to insert in section 4, in the twelfth line, after the word "by," the words, "section two of this act."

The amendment prevailed.

On motion of Senator Woolson the word "one," in thirteenth line, section 3, was changed to "two."

Senator Cooley moved to amend section 3 by inserting after the word "bond," in seventh line, the words, "in the sum of fifty thousand dollars."

The motion prevailed.

Senator Hartshorn offered the following as an additional section to the bill, which was adopted:

SEC. 7. That acceptance of the provisions of this act shall be deemed a release by the company, accepting the same of all claims to unpatented land, selected for and belonging to the original grant, which have been entered and occupied in good faith pursuant to the provisions of the pre-emption and homestead laws, and upon the making of final proof of occupation and improvement, now required by law, and of good faith as aforesaid, to the satisfaction of the Register of the State Land Office, the Governor is hereby authorized to execute a patent for such land to the persons entitled thereto.

Senator Hartshorn moved to strike out of thirteenth line, section 2, the words "provided said section or the greater part thereof is available to said company under said grant."

The motion was agreed to.

Senator Stoneman offered the publication clause which was adopted.

Senator Cooley moved to print the substitute as amended.

The motion was lost.

The substitute was then adopted.

On motion of Senator Stoneman the bill was ordered engrossed.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

REPORTS OF COMMITTEES.

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined:

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

S. F. No. 216, A bill for an act to legalize ordinances No. 142 and No. 147, passed by the city council of the city of Cedar Rapids in relation to the establishment of water works in said city and the conveyance of land on which to erect the same.

S. F. No. 233, A bill for an act to amend section 1144 in chapter 4 of section 9 of the Code, relating to fire insurance companies.

S. F. No. 44, A bill for an act to amend section 3809 of the Code.

S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873.

S. F. No. 165, A bill for an act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory to cities and towns.

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

H. F. No. 13, An act to amend section 3814, chapter 3, title 23, of the Code, relating to the fees of witnesses.

H. F. No. 196, An act relating to life insurance, and to prevent injustice to the assured.

H. F. No. 156, An act creating the fourteenth judicial district, and providing for the election of the district and circuit judges, and a district attorney therein, and changing the boundaries of the fourth judicial district.

S. F. No. 30, An act to authorize cities organized under special charters to provide for the construction of sewers.

H. F. No. 136, An act to authorize cities and towns to settle and adjust certain indebtedness, and to provide for payment of the same.

H. C. CARR, *Chairman*.

By leave, Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of municipal corporations prohibiting the same, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. JESSUP, *Chairman*.

Ordered passed on file.

On motion of Senator Merrell of Clinton, H. F. No. 291, A bill for an act to amend section 93 of the Code, was withdrawn from the files, and recommitted to the Committee on Public Lands.

At 5 o'clock, P. M., the Senate, on motion of Senator Murphy, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 8, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Grauger W. Smith.

Journal of yesterday read and approved.

Senators Lovell, McCoid, and Rothert, excused.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Woolson: A petition from citizens of Henry county, asking for the protection of the wool growing interest against ravages by dogs.

Referred to the Committee on Agriculture.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 2, A bill for an act to amend chapter 9 of the Public Laws of the Fifteenth General Assembly.

H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

I also herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 233, A bill for an act to amend section 1144, in chapter 4 of section 9 of the Code, relating to fire insurance companies.

S. F. No. 216, A bill for an act to legalize ordinances No. 142 and No. 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city, and conveyance of land on which to erect the same.

S. F. No. 238, A bill for an act to amend section 2049 of the Code of 1873.

S. F. No. 167, A bill for an act to increase the limit of taxation in cities of the second class.

S. F. No. 165, A bill for an act to amend section 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory to cities and towns.

S. F. No. 128, A bill for an act to legalize the sale of certain school lands in Allamakee county.

S. F. No. 44, A bill for an act to amend section 3809 of the Code.

H. F. No. 81, A bill for an act to amend section 518 of the Code of 1873, title 4, chapter 10, of cities and incorporated towns.

H. F. No. 121, A bill for an act appropriating \$550.50 in payment of claim of E. Blakesley.

H. F. No. 229, A bill for an act to compel township clerks to post up statements of receipts and disbursements at each general election.

H. F. No. 416, A bill for an act for the payment of the claim of James Harvey.

I am also directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 254, A bill for an act to facilitate business with railroads, telegraphs and express companies.

I am also directed to inform your honorable body that the House has agreed to the report of the conference committee in relation to the disagreeing votes on H. F. No. 101, a bill for an act to promote fish culture.

Also, that the House has concurred in the Senate amendment to H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining districts, and to enact a substitute therefor.

J. W. LOGAN, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Mitchell, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding publication clause, and when so amended that the bill do pass.

THOS. MITCHELL, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 112, A bill for an act to amend sub-division 24 of section 303, title 4 of the Code, to allow boards of supervisors to make additional appropriations for county bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 279, A bill for an act to amend section 970, chapter 2, title 7 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 252, A bill for an act fixing the compensation of constables in summoning of jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HERSEY, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred Substitute for H. F. No. 253, A bill for an act appropriating money to pay the expenses of the commissioners appointed by Governor C. C. Carpenter to investigate the affairs of the Iowa Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, to whom was referred S. F. No. 250, A bill for an act to regulate the keeping of saloons, taverns, drinking houses, gaming houses, and other places where persons resort for the purposes of drinking and gaming, beg leave to report that they have had the same under consideration and a majority of them have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute for section 2, be adopted:

Section 2. That any person or persons, by themselves, clerk, or agent keeping any such place as is prohibited in the first section of this act, should be punished by a fine of not less than ten, nor more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days.

And that all after the word "same" in line seven of section 1 be struck out, and strike out third section; that when so amended it do pass.

JESSUP, *Chairman*.

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on judiciary, to whom was referred H. F. No. 192, A bill for an act to repeal section 1, chapter 40 of the laws of the Fifteenth General Assembly, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances, and the acts of its officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 275, A bill for an act to legalize the official acts of S. L. Emerson as township clerk of Lincoln township, Union county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for H. F. Nos. 84 and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the supreme court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 442, A bill for an act to legalize the town plat of the town of Tracy, now Van Meter, Dallas county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the following: "subject to the approval of the executive council," after the word "treasurer" in seventh line, and when so amended do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for H. F. No. 233, and S. F. No. 19, A bill for an act to repeal section 3789 of the Code, in relation to sheriff's fees, and to enact a substitute therefor.

J. J. FLYNN,
Second Assistant Clerk.

SPECIAL ORDER.

The President announced the arrival of the hour for the consideration of a joint resolution agreeing to a proposed amendment of section 1 of article 2, and section 4 of article 3, of the Constitution of the State of Iowa.

WHEREAS, The Fifteenth General Assembly of the State of Iowa did, in due form, by a majority of the members elected to each of the two Houses, agree to a proposed amendment to the Constitution as follows, to-wit:

First—"Strike from section 1, of article 2 of said constitution, the word 'male.'"

Second—"Strike from section 4, of article 3 of said constitution the word 'male.'". And

WHEREAS, Said proposed amendments were entered upon the journals of both Houses, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the general election to be held in the

year A. D. 1875; and the same having been published, as provided by law, for three months previous to the time of the election of this, the Sixteenth General Assembly; therefore,

Be it Resolved by the General Assembly of the State of Iowa, That the said amendments are hereby ratified, agreed to, and confirmed, and the same shall be submitted to the people, at the next general election, for their approval or rejection.

It shall be the duty of the Secretary of State to see that the provisions of this joint resolution are carried into effect in the manner provided by law.

The question being on the motion of Senator Willett, to strike out all after the word "male," fifth line, and as amended by him by general consent, to strike out all after the word "confirmed," in the 11th line.

Senator Miller moved that when the Senate adjourn it adjourn at 11:55 this morning.

The motion was lost.

On the adoption of the amendment offered by Senator Willett the yeas and nays were demanded, and the yeas were:

Senators Bestow, Carr, Clark, Cooley, Dows, Hebard, Kinne, Larrabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Rumble, Stoneman, Willett, Wilson, Wonn, Wright, and Young—21.

The nays were:

Senators Arnold, Bailey, Campbell, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Hartshorn, Hersey, Hitchcock, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Teale, Thornburg, Williams, Wood, and Woolson—24.

Absent or not voting:

Senators Harmon, Lovell, McCoid, and Robert—4.

So the amendment was lost.

Senator Kinne moved to suspend the 11th rule, and read the joint resolution a third time now.

The motion prevailed.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Hitchcock, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Thornburg, Williams, Wood, and Woolson—22.

The nays were:

Senators Bestow, Campbell, Carr, Clark, Cooley, Dows, Hartshorn, Hebard, Kinne, Larrabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Rumble, Stoneman, Teale, Willett, Wilson, Wonn, Wright, and Young—24.

Absent or not voting:

Senators Lovell, McCoid, and Robert—3.

So the joint resolution having failed to receive a constitutional majority, was lost.

Senator Campbell moved to reconsider the vote by which the joint resolution was lost, and to postpone further consideration of the motion until Friday next, at 2:30 o'clock p. m.

Senator Merrell, of Clinton, moved to lay that motion on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Carr, Clark, Cooley, Dows, Hebard, Kinne, Larabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Pease, Rumble, Stoneman, Willett, Williams, Wilson, Wonn, Wright, and Young—23.

The nays were:

Senators Arnold, Bailey, Campbell, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Perkins, Teale, Thornburg, Wood, and Woolson—23.

Absent or not voting:

Senators Lovell, McCoid, and Rothert—3.

So the motion to lay upon the table was lost.

Senator Campbell's motion was then adopted.

REPORTS OF COMMITTEES.

By leave Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. Nos. 145 and 210, Bills for an act to amend chapter 68, laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

The substitute was ordered printed and made a special order for Friday next, at 10 o'clock A. M.

Senator Young, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills, respectfully report that they have examined

Substitute for S. F. Nos. 34, 53½, and 94, A bill for an act to extend the time named in "an act making a grant of land to the McGregor and Sioux City Railway Company and the Forty Third Parallel Railway Company." Approved March 31, 1868.

And find the same correctly engrossed.

LAFE YOUNG, *Chairman*.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following Bills and find the same correctly enrolled:

H. F. No. 31, A bill for an act to amend section 518 of the Code of 1873, title 4, chapter 10, of cities and incorporated towns.

H. F. No. 121, A bill for an act appropriating five hundred and fifty dollars and fifty cents in payment of claim of E. Blakesley.

H. F. No. 229, A bill for an act to compel township clerks to post up statement of receipts and disbursements at each general election.

H. F. No. 416, A bill for an act for the payment of the claim of Jas. Harvy.

H. C. CARR, *Chairman*.

Also, Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval

S. F. No. 216, An act to legalize ordinances No. 142, and No. 147, passed by the city council of the city of Cedar Rapids, in relation to the establishment of water works in said city, and the conveyance of land on which to erect the same.

S. F. No. 233, An act to amend section 1144, in chapter 4 of title 9 of the Code, relating to fire insurance companies.

S. F. No. 44, An act to amend section 3809 of the Code.

S. F. No. 128, An act to legalize the sale of certain school lands in Allamakee county.

S. F. No. 165, An act to amend chapter 25, laws of the Fifteenth General Assembly, in relation to city and town lots, and in relation to the annexation of contiguous territory to cities and towns.

S. F. No. 167, An act to increase the limit of taxation in cities of the second class.

S. F. No. 238, An act to amend section 2049 of the Code of 1873.

H. C. CARR, *Chairman*.

Senator Arnold moved that when the Senate adjourn it adjourn until 9:30 o'clock to-morrow morning.

The motion prevailed.

On motion of Senator Dashiell, the Senate, at 12:05 P. M., adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 9, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. W. J. Gill.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Rumble: A petition from citizens of Iowa county, asking for the continued enactment of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Dashiell: A petition from citizens of Wayne county, asking for a law to vote taxes to aid railroads.

Referred to Committee on Railroads.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 213, A bill for an act relating to cities organized and existing under special charters conferring additional power, and amending the charter of such cities.

H. F. No. 351, A bill for an act to legalize the sale of an eighty acre tract of school land to John A. Perkins.

Also, that the House has passed S. F. No. 32, A bill for an act to restrain vagrancy and common beggary, with an amendment striking out in the second and third lines the words "and to whom labor at reasonable prices has been offered and refused, or who has not made reasonable effort to procure employment."

I also herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 254, An act to facilitate business with the railroads, express and telegraph companies.

JAS. W. LOGAN, *Chief Clerk.*

Senator Lovell was excused.

INTRODUCTION OF BILLS.

The Committee on Senatorial Districts introduced S. F. No. 255, A bill for an act apportioning the State of Iowa into Senatorial Districts.

Read first and second time, ordered printed, and passed on file.

By Committee on Judiciary: S. F. No. 256, A bill for an act to repeal section 13, chapter 2, title 1 of the Code, relating to terms of office of officers of the General Assembly, and to enact a substitute therefor.

Read first and second time.

On motion of Senator Willett, the 11th rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Teale, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright and Young—44.

The nays were none.

Absent or not voting:

Senators Kinne, Lovell, Nichols, Stoneman, and Thornburg—5.

So the bill passed and the title was agreed to.

By Committee on Judiciary: S. F. No. 257, A bill for an act to re-

peal sections 35, 36, 37, 38, 39, and 40, chapter 3, title 1 of the Code, and to enact a substitute therefor.

Read first and second time.

Senator Willett moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were none:

Absent or not voting:

Senators Hartshorn, Kinne, Lovell, Merrell of Clinton, and Nichols—5.

So the bill passed and the title was agreed to.

By Committee on Schools: S. F. No. 258, A bill for an act to create a State board of Examiners.

Read first and second time, ordered printed, and passed on file.

Also, S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code of Iowa, and to provide for the organization of district townships.

Read first and second time, ordered printed and passed on file.

Also, S. F. No. 260, A bill for an act to amend section 1769 of chapter 9, title 12 of the Code, relating to normal institutes.

Read first and second time, ordered printed and passed on file.

By leave, Senator Rumble introduced S. F. No. 261, A bill for an act to provide for the better security of life and property from the damages of coal and petroleum or kerosine oils.

Read first and second time, and referred to a special Committee of Senators Rumble, McCormack, and Merrill of Wapello.

By leave, Senator Wright introduced S. F. No. 262, A bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

Read first and second time, and referred to the Committee on Judiciary.

On motion of Senator Miller of Black Hawk, the special order was postponed until the regular order of business was disposed of.

HOUSE MESSAGES.

Substitute for H. F. No. 233, and S. F. No. 19, A bill for an act to repeal section 3789 of the Code, in relation to sheriff fees, and to enact a substitute therefor.

Read first and second time, and referred to the Committee on Compensation of Public Officers.

H. F. No. 351, A bill for an act to legalize the sale of an eighty acre tract of school land sold to John A. Parkins.

Read first and second time, and referred to the Committee on Public Lands.

H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers, and amending the charters of such cities.

Read first and second time, and referred to the Committee on Municipal Corporations.

H. F. No. 2, A bill for an act to amend an act, entitled an act to amend sections 289 and section 290 of the Code of 1873.

Read first and second time, and referred to the Committee on Ways and Means.

H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

Read first and second time, and referred to the Committee on Agricultural College.

On motion of Senator Miller of Black Hawk, the second special order was postponed until the first special order was disposed of.

REPORTS OF STANDING COMMITTEES.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. Nos. 214 and 227, A bill for an act to amend sections 2117, 2119, 2124 and 2128, of title 14, chapter 8, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 203, A bill for an act to amend sections and to define the punishment for malicious mischief and trespass on property, beg leave to report that they have had the same under consideration, and have instructed me to report to the Senate the accompanying substitute, with the recommendation that the substitute be adopted, and when so adopted do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was re-committed S. F. No. 124, A bill for an act to provide for the enforcement of warrants and orders of corporations in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Harrison county, Iowa, beg leave

to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 14, A bill for an act to legalize the official acts of D. H. Payne, a Notary Public, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 142, A bill for an act repealing chapter 8, of title — of the Code, and providing for mechanics liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted: Strike out all of the 35th, 36th, 37th and 38th lines of section 9, and insert the following: "Sell for more than sufficient to pay off the prior mortgage or other lien the proceeds shall be applied on the prior mortgage or other lien." Strike out all of section 11, and when so adopted that the bill so amended do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 215, A bill for an act to regulate the foreclosure of chattle mortgages and to provide for distribution of proceeds of mortgaged property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 103, A bill for an act to amend sections 240, and 241, of chapter 10, title 3 of the Code, in relation to juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendment. Strike out all of section 2, and that so amended they recommend that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 109, A bill for an act to repeal section 1, chapter 25, acts Fifteenth General Assembly, relating to plats of city and town lots, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was re-

ferred S. F. No. 48, A bill for an act in relation to the payment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. Nos. 76, 105, and 110, Bills for acts to amend section 3327 of the Code, in relation to the satisfaction of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that the substitute do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 24, A bill for an act concerning delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 226, A bill for an act to amend section 3072, chapter 2, title 18, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 240, A bill for an act to legalize and declare of same force and effect, as regards certain records in the district court of Des Moines county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 of the bill be stricken out, and the accompanying substitute therefor be inserted in its place, and, so amended, that the bill do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred S. F. No. 251, A bill for an act to amend sections 303 and 305 of the Code of 1873, title 4, chapter 2, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors by the township clerk, beg leave to report that they have had the same under consider-

ation and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution, proposing to amend the Constitution of the State of Iowa, in relation to pardons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution proposing certain amendments to the Constitution, in relation to public schools and public funds, beg leave to report that they have had the same under consideration and the majority of said committee have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution proposing to amend the Constitution of the State of Iowa by adding to article 8 thereof certain sections concerning railroad corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred the joint resolution to instruct our Senators and request our Representatives in Congress to use all honorable means to secure certain proposed amendments to the Constitution of the United States, in relation to the establishment of religion and the use of public funds, beg leave to report that they have had the same under consideration, and the majority of said committee have instructed me to report the same back to the Senate without recommendation.

HENRY L. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred Senate joint resolution in relation to land grant to McGregor & Sioux City Railroad, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organi-

zations, to whom was referred S. F. No. 219, A bill for an act providing for the organization of the county of Cook, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 133, A bill for an act empowering township clerks to administer oaths, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 172, A bill for an act changing the boundaries of Cass and Pottawattamie counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments, and when so amended that it do pass:

Strike out of the fourth line of the first section, the figures "74," and strike out of the same section the words "the four eastern."

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 207, A bill for an act changing the boundaries of Pottawattamie and Montgomery counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that it do pass: In sections 1, 5, 7, and 8, strike out the word "township," whenever it occurs, and insert the words, "township seventy-three and."

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator Miller, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 120, A bill for an act to amend certain sections of the Code, relative to the report of treasurers of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended by striking out the word "certain," and inserting after the word "section," the words, "1745 and 1751 of chapter 9, title 12," and adding the words, "relative to the report of treasurers of school districts," and that when so amended that it do pass.

E. G. MILLER, *for the Committee.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom

was referred H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to counties entitled thereto, any excess of revenue due to said counties, excepting State taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 1 of said bill, the following, to-wit: "When such excess amounts to or exceeds the sum of two thousand dollars." And by inserting after the word "county," in the third line of section 3, the following, to-wit: "amounting to or exceeding the sum of two thousand dollars."

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 190, A bill for an act to enable counties to dispose of property in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute to the Senate, with the recommendation that it be adopted, and when adopted, that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred a resolution instructing the Committee on Ways and Means to consider and report upon the propriety of introducing a bill providing for the payment of taxes in semi-annual payments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it is deemed inadvisable to introduce such a bill.

LARRABEE, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads, since the 1st day of January, A. D. 1868, and to cancel unpaid taxes.

Also, that the House of Representatives has passed, without amendment, S. F. No. 40, A bill for an act authorizing the Governor to appoint Aids-de-Camp.

JAS. W. LOGAN, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 364, A bill for an act to legalize the levy of certain road

taxes in Howard county, and the extending of the same upon the tax books of said county.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school in adjoining districts.

H. F. No. 284, A bill for an act to perfect title in certain lands to Matilda Carter.

S. F. No. 40, An act authorizing the Governor to appoint Aids-de-Camp.

MR. PRESIDENT:—Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval:

S. F. No. 254, An act to facilitate business with railroads, express and telegraph companies.

H. C. CARR, *Chairman*.

Senator Murphy submitted the following

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses on H. F. No. 101, beg leave to report that they have met, and after a full and frank conference, beg leave to report the following: That the sum of eight thousand seven hundred and fifty [dollars] be appropriated by this Assembly, instead of ten thousand dollars as asked for in the original bill.

J. H. MURPHY,
F. T. CAMPBELL,
D. N. COOLEY,
On the part of the Senate.
S. R. BOLTER,
L. W. STEWART,
J. W. DEWEESE,
J. J. SMITH,
On the part of the House.

On the question shall the Senate adopt the report, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—43.

The nays were:

Senator McCormack—1.

Absent or not voting:

Senators Kinne, Lovell, Nichols, Rumble, and Wonn—5.

So the Senate adopted the report of the committee.

BILLS ON THIRD READING.

S. F. No 32, A bill for an act to restrain vagrancy and common begging.

On the question shall the Senate concur in the House amendments, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Dashiell, Dows, Kinne, Merrill of Wapello, Mitchell, and Nichols—6.

So the Senate concurred in the House amendments.

S. F. No. 211, A bill for an act to provide for punishment for fraudulent disposition of personal property.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Pease, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—39.

The nays were:

Senators Dashiell, McCoid, Merrell of Clinton, Teale, and Woolson—5.

Absent or not voting:

Senators Jessup, Kinne, Mitchell, Nichols, and Perkins—5.

So the bill passed and the title was agreed to.

Substitute for S. F. Nos. 34, 53½ and 95, A bill for an act to extend the time named in an act making a grant of land to the McGregor & Sioux City Railway Company and the Forty-third Parallel Railway Company, approved March 31st, 1868.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—46.

The nays were none:

Absent or not voting:

Senators Kinne, Nichols, and Wonn—3.

So the bill passed.

Senator Cooley offered the following as a substitute for the title of the bill:

A bill for an act to resume to the State of Iowa certain lands heretofore granted to the McGregor and Sioux City Railway Company, for failure to construct certain railway line; and to re-grant said lands, upon new conditions, to said company; and, in case of failure to comply with the conditions of the act, then to such other company as shall comply with the conditions of this act. And to carry into effect the provisions of an act of Congress entitled, "An act for a grant of lands to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State," approved May 12th, 1864; and to secure the early completion of the McGregor and Missouri River Railroad.

Senator Woolson offered the following as a substitute for the substitute to the title of the bill:

"A bill for an act relating to the lands heretofore granted to the McGregor and Missouri River Railroad Company, resuming said lands, and re-granting the same, upon new conditions, to said company, and providing for forfeiture thereof, and in case of said forfeiture, for the disposition to be made of said lands."

The substitute for the substitute was adopted.

On motion of Senator Dwelle, substitute for H. F. Nos. 34 and 27, A bill for an act to amend section 135 of the Code, relating to appeals to the supreme court, with the report of the committee recommending its passage, was taken up and considered.

Senator Dwelle moved to suspend the 11th rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Ruple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—46.

The nays were none.

Absent or not voting:

Senators Kinne, Murphy, and Nichols—3.

So the bill passed, and the title was agreed to.

On motion of Senator Williams, S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners was taken up.

The question being on the motion to reconsider the vote by which the bill was lost, the motion to reconsider prevailed.

Senator Campbell moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

Senator Woolson moved to strike out section two.

The motion was lost.

Senator Campbell moved to add to the end of section one the following:

Provided he shall enter upon the cultivation of said hedge within twelve months from the time said fence is removed on to the adjoining lands.

The amendment prevailed.

On motion of Senator Williams, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hitchcock, Lovell, Miller of Black Hawk, Mitchell, Newton, Pease, Rumble, Teale, Thornburg, Williams, Wilson, Wood, and Young—26.

The nays were:

Senators Dashiell, Dows, Gallup, Gilmore, Hersey, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Perkins, Rothert, Stoneman, Willett, Worn, Woolson, and Wright—19.

Absent or not voting:

Senators Jessup, Kinne, Murphy, and Nichols—4.

So the bill passed and the title was agreed to.

On motion of Senator Miller of Black Hawk, at 11:50 A. M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

SECOND READING OF BILLS.

S. F. No. 237, A bill for an act to prohibit the sale of intoxicating liquors not heretofore prohibited by law, near the corporate limits of municipal corporations prohibiting the same, with the report of the committee recommending its passage, was taken up and considered.

Senator Dashiell offered the following amendment by inserting after the word "provision" in first line, section 2, the words "section 1."

The amendment was adopted.

Senator Woolson offered the following amendment: strike out of line three, section 1, the words "no person shall be permitted," and insert the words "it shall be unlawful for any person, by agent or otherwise."

The amendment prevailed.

Senator Woolson moved to amend section 2, by striking out the words "a violation of" in first line, and insert the words "any person violating."

The amendment was adopted.

On motion of Senator Jessup, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willet, Williams, Wood, Woolson, Wright, and Young—37.

The nays were:

Senators Cooley, Lovell, McCormack, Merrell of Clinton, Stoneman, Wilson, and Wonn—7.

Absent or not voting:

Senators Hartshorn, Kinne, Murphy, Newton, and Nichols—5.

So the bill passed and the title was agreed to.

Senators Hartshorn, Newton, and Murphy were excused.

On motion of Senator Gallup, S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code, with the report of the committee recommending amendments and when so amended it do pass, was taken up and considered and the amendments recommended by the committee adopted.

Senator Gallup moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—40.

The nays were none.

Absent or not voting:

Senators Dows, Hartshorn, Hitchcock, Kinne, Lovell, Murphy, Newton, Nichols, and Stoneman—9.

So the bill passed and the title was agreed to.

On motion of Senator Maginnis, S. F. No. 188, A bill for an act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa, with a report of the committee recommending amendment, and when so amended it do pass, was taken up and considered.

The amendment reported by the committee was adopted.

Senator Maginnis moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Dows, Hartshorn, Kinne, Murphy, Newton, Nichols, and Stoneman—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 364, A bill for an act to legalize road taxes in the county of Howard, and extending of the same upon the tax books of said county.

H. F. No. 105, A bill for an act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending school in adjoining districts, and enacting a substitute therefor.

H. F. No. 284, A bill for an act to perfect title in certain lands in Matilda Carter.

S. F. No. 40, A bill for an act authorizing the Governor to appoint Aids-de-Camp.

J. W. LOGAN, *Chief Clerk.*

On motion of Senator Teale, S. F. No. 48, A bill for an act in relation to the payment of taxes, with the report of the committee without recommendation, was taken up and considered, and the Senate refused to order the bill engrossed.

SPECIAL ORDER.

The Senate proceeded to consider the special order, being H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange, with the report of the committee recommending a substitute, and when adopted it do pass.

The substitute was adopted.

Senator Cooley moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Perkins, Rumple, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—36.

The nays were:

Senators Dashiell, McCoid, Miller of Black Hawk, Rothert, and Teale—5.

Absent or not voting:

Senators Dows, Hartshorn, Kinne, Murphy, Newton, Nichols, Pease, and Stoneman—8.

So the bill passed and the title was agreed to.

On motion of Senator Bestow, S. F. Nos. 76, 105, 110, A bill for an act to repeal section 3327 of chapter 4, title 20, Code of 1873, relating to satisfaction of mortgages, and to enact a substitute therefor, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Woolson moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Rothert, Rumples, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were:

Senators Clark, and Lovell—2.

Absent or not voting:

Senators Dows, Hartshorn, Kinne, Murphy, Newton, Nichols, Perkins, Stoneman, and Teale—9.

So the bill passed and the title was agreed to.

On motion of Senator Thornburg, H. F. No. 442, A bill for an act to legalize the recorded plat of the town of Tracy, now Van Meter, Dallas county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Thornburg moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumples, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Bailey, Dows, Hartshorn, Kinne, Murphy, Newton, Nichols, and Teale—8.

So the bill passed and the title was agreed to.

Substitute for S. F. Nos. 138, and 174, A bill for an act to amend chapters 48 and 54, of the acts of the Fifteenth General Assembly entitled "an act relating to the taxes voted in aid of the construction of railroads," with the report of the committee recommending its passage, was taken up and considered.

Senator Woolson moved to amend section 1 by inserting after "54" in the second line, the words "private, local, and temporary acts."

The amendment was adopted.

The bill was ordered engrossed.

H. F. No. 45, A bill for an act to amend section 1774 of chapter 9, title 12 of the Code, with the report of the committee without recommendation, was taken up and considered.

Senator McCormack moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Carr, Dashiell, Dwelle, Lovell, McCormack, Maginnis, Pease, Teale, Wood, and Young—10.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Cooley, Dows, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, and Wright—33.

Absent or not voting:

Senators Clark, Hartshorn, Kinne, Murphy, Newton, and Nichols—6.

So the bill having failed to receive a constitutional majority was lost.

On motion of Senator Miller of Black Hawk, S. F. No. 70, A bill for an act to amend sections 1774 and 1776 of the Code of 1873, prescribing the duties of County Superintendents, and fixing the salaries of such officers, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered. The substitute was adopted.

Senator Miller of Black Hawk moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Dashiell, Gallup, Harmon, Hebard, Hersey, Hitchcock, Larrabee, Lovell, McCoid, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Woolson, and Wright—26.

The nays were:

Senators Campbell, Carr, Conaway, Cooley, Dows, Dwelle, Gilmore, Graham, McCormack, Maginnis, Merrill of Wapello, Perkins, Teale, Willett, Wood, and Young—16.

Absent or not voting:

Senators Hartshorn, Jessup, Kinne, Murphy, Newton, Nichols, and Stoneman—7.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 112, A bill for an act to amend subdivision 24, of section 303, chapter 2, title 4, of the Code, to allow boards of supervisors to make additional appropriation for county bridges, with the report of the committee recommending its passage, was taken up and considered.

Senator Dows moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley,

Dashiell, Dows, Dwelle, Gallup, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Lovell, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Wright, and Young—33.

The nays were:

Senators Campbell, Gilmore, McCoid, McCormack, Maginnis, Teale, Willett, Wood, and Woolson—9.

Absent or not voting:

Senators Hartshorn, Kinne, Larrabee, Murphy, Newton, Nichols, and Stoneman—7.

So the bill passed, and the title was amended by striking out the word "amend" and insert "repeal," and add to, the words, "and enact a substitute therefor."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 443, A bill for an act to amend chapter 107 of the private, local, and temporary acts of the Fifteenth General Assembly.

H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 236, A bill for an act to amend sections 404, 405, and 406, chapter 9, title 4; sections 843 and 853, chapter 1; sections 857, 865, 866, and 890, chapter 2, title 6, Code, relating to the collection of taxes.

H. F. No. 35, A bill for an act to repeal section 3849 of the Code of Iowa, of 1873, and to enact a substitute therefor, and to restore capital punishment.

Also, that the House of Representatives has passed S. F. No. 247, A bill for an act to amend chapter 5, title 10, of the Code, in relation to railways, with an amendment striking out "April" and inserting in lieu thereof the words, "the 25th day of," as indicated in the bill.

I also herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 32, A bill for an act to restrain vagrancy and beggary.

JAS. W. LOGAN, *Chief Clerk*.

By leave Senator Cooley presented a petition from the miners of Dubuque, asking for a change of the laws, to better protect the mining interests of the State.

Referred to the Committee on Ways and Means.

On motion of Senator Young, S. F. No. 172, A bill for an act changing the boundaries of Cass and Pottawattamie counties, with the report of the committee recommending amendments and when so amended it do pass, was taken up and considered.

The committee amendments were adopted.

On motion of Senator Hebard the bill was made a special order for to-morrow at 11 o'clock A. M., to be considered with S. F. No. 207, A

bill for an act changing the boundaries of Montgomery and Pottawatamie counties, and S. F. No. 219, A bill for an act providing for the organization of the county of Cook.

By leave Senator Mitchell, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Normal Schools, to whom was referred S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as noted in the bill, and that when so amended that it do pass.

THOMAS MITCHELL, *Chairman*.

Ordered passed on file, and the bill on motion of Senator Mitchell was with the amendments, referred to Committee on Appropriations.

REPORTS OF COMMITTEES.

By leave, Senator Merrell of Clinton, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT:—Your Committee on Public Lands, to whom was referred H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to Jehn A. Perkins, beg leave to report that they have had the same under consideration and have instructed me to report to same back to the Senate with the recommendztion that it do pass.

N. A. MERRELL, *Chairman*.

Ordered passed on file.

S. F. No. 252, A bill for an act fixing compensation of constables in summoning of jurors, with the report of the committee recommending its passage, was taken up and considered.

Senator Arnold moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCoid, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Perkins, Rother, Rumble, Teale, Thornburg, Williams, and Woolson—27.

The nays were:

Senators Campbell, Carr, Gilmore, Graham, Larrabee, Lovell, McCormack, Pease, Willett, Wood, Wright, and Young—12.

Absent or not voting:

Senators Cooley, Hartshorn, Kinne, Merrill of Wapello, Murphy, Newton, Nichols, Stoneman, Wilson, and Wonn—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill, without amendment:

S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes.

JAS. W. LOGAN, *Chief Clerk*.

H. F. No. 279, A bill for an act to amend section 270, chapter 2, title 7 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Williams moved that the eleventh rule be suspended and the bill read a third time now.

The motion was lost.

H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1 of the Code, and to enact a substitute therefor, with the report of the committee recommending its passage, was taken up and considered.

Senator Campbell moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—41.

The nays were:

Senators Dashiell, McCoid, and Maginnis—3.

Absent or not voting:

Senators Hartshorn, Kinne, Murphy, Newton, and Nichols—5.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 253, A bill for an act appropriating money to pay the expenses of the commission appointed by Governor C. C. Carpenter, to investigate the affairs of the Iowa Reform School, with the report of the committee recommending its passage, was taken up and considered.

Senator Hebard moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bestow, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were:

Senators Bailey, Campbell, Dashiell, Rumble, and Teale—5.

Absent or not voting:

Senators Carr, Hartshorn, Kinne, Murphy, Newton, and Nichols—6.
So the bill passed and the title was agreed to.

S. F. No. 250, A bill for an act to regulate the keeping of saloons, taverns, drinking houses, gaming houses, and other places where persons resort for the purpose of drinking and gaming, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The committee amendments were all adopted, and the bill was ordered engrossed.

H. F. No. 192, A bill for an act to repeal section 1, chapter 40, of the laws of the Fifteenth General Assembly, with the report of the committee recommending its indefinite postponement, was taken up, and the report of the committee concurred in.

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle, and its ordinances and the acts of its offices thereunder, with the report of the committee recommending its passage, was taken up and considered.

Senator Willett moved that the 11th rule, be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Hitchcock, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rump, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Bestow, Hartshorn, Kinne, Murphy, Newton, Nichols, and Wonn—7.

So the bill passed and the title was agreed to.

H. F. No. 275, A bill for an act to legalize the official acts of S. L. Emerson and J. M. Thompson as trustees, and S. L. Emerson as township clerk of Lincoln township, Union county, Iowa, with the report of the committee recommending its indefinite postponement, was taken up and considered, and the report of the committee concurred in.

H. F. No. 270, A bill for an act to legalize the official acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Young moved to indefinitely postpone the bill.

The motion did not prevail.

Senator Young moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Mil-

ler of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumple, Stoneman Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senator Maginnis—1.

Absent or not voting:

Senators Bestow, Conaway, Hartshorn, Hitchcock, Kinne, Merrell of Clinton, Murphy, Newton, and Nichols—9.

So the bill passed and the title was agreed to.

H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor, with the report of the committee recommending its passage, was taken up and considered.

Senator Cooley moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Bestow, Hartshorn, Hitchcock, Kinne, Murphy, Newton, Nichols, and Stoneman—8.

So the bill passed and the title was agreed to.

Senator Jessup moved that the Senate adjourn.

The motion was lost.

Substitute for S. F. Nos. 214 and 327, A bill for an act to amend sections 2117, 2119, 2124, and 2128, of title 14, chapter 7 of the Code, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Cooley moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Bestow, Hartshorn, Hitchcock, Kinne, Newton, Nichols, and Pease—7.

So the bill passed and the title was agreed to.

S. F. No. 203, A bill for an act to define the punishment for mali-

cious mischief and trespass on property, with the report of the committee recommending a substitute, and when so adopted it do pass, was taken up and considered.

The substitute was adopted.

On motion of Senator Dashiell, the Senate, at 5:40 P. M., adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 10, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. S. D. Fulton.

Yesterday's journal was read and approved.

PETITIONS OR MEMORIALS.

By Senator Rumble: A petition from citizens of Iowa county, against the repeal of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Campbell: Three petitions from citizens of Jasper county, on the same subject, which were referred to the same committee.

By Senator Arnold: A petition from O. L. Aldrich, of Mashalltown, in reference to a military organization.

Referred to the Committee on Military Affairs.

By Senator Rumble: Two petitions from citizens of Iowa county, asking for the continued enactment of the present railroad tariff law.

Referred to the Committee on Railroads.

By Senator Hebard: A petition from citizens of Villisca, Montgomery county, asking for a law prohibiting the sale of liquors within a mile of that town.

Referred to the Committee on Suppression of Intemperance.

HOUSE MESSAGES.

H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

Read first and second time.

Senator Conaway moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, Mc-

Cormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rotherth, Rumpel, Teale, Thornburg, Williams, Wilson, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Dows, Hitchcock, Murphy, Stoneman, Willett, and Wonn—6.

So the bill passed and the title was agreed to.

H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads since the first day of January, A. D. 1868, and to cancel unpaid taxes.

Read first and second time, and referred to the Committee on Railroads.

SPECIAL ORDER.

The President announced the arrival of the hour for the consideration of S. F. Nos. 195, and 210, Bills for an act to amend chapter 68, laws of the Fifteenth General Assembly, with the report of the committee recommending a substitute.

Senator Campbell moved that the special order be postponed until Monday next at 2:30 o'clock.

The motion prevailed.

HOUSE MESSAGES RESUMED.

H. F. No. 443, A bill for an act to amend chapter 107 of the Private, Local and Temporary Acts of the Fourteenth General Assembly.

Read first and second time, and referred to the Committee on Claims.

Substitute for H. F. No. 35, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment.

Read first and second time, and referred to the Committee on Judiciary, and made special order for Wednesday next, at 10 o'clock.

H. F. No. 236, A bill for an act to amend sections 404, 405, and 406, chapter 9, title 4; sections 843 and 853, chapter 1; sections 857, 865, 866, and 890, chapter 2, title 6 of the Code, relating to the collection of taxes.

Read first and second time, and referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Committee on Penitentiary: S. F. No. 263, A bill for an act to amend section 4 of chapter 35 of the Private, Local and Temporary Acts of the Fifteenth General Assembly, in relation to the letting of convict labor.

Read first and second time, and made special order for 10 o'clock, March 11.

REPORTS OF STANDING COMMITTEES.

Senator Miller of Black Hawk, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred S. F. No. 183, A bill for an act to regulate and enforce reciprocity between express companies doing business in the State of Iowa, beg leave to report that they have had the same under consideration, and a minority of the committee have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that it do pass.

E. G. MILLER,

For minority of Committee.

Ordered passed on file.

Senator Campbell from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred S. F. No. 183, A bill for an act to regulate and enforce reciprocity between express companies doing business in the State of Iowa, beg leave to report that they have had the same under consideration, and a majority of said committee, have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred Senate concurrent resolution in reference to certain lands granted to the Sioux City & St. Paul Railroad, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred S. F. No. 187, A bill for an act to amend section 986, title 7, chapter 2 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman.*

Ordered passed on file.

Senator Gallup, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT:—Your Committee on Agricultural College, to whom was referred H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. GALLUP, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined:

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and to amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of fish commissioner and appropriate money to carry out the provisions of this act.

Substitute for H. F. Nos. 34, and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

S. F. No. 32, An act to restrain vagrancy and common beggary.

S. F. No. 179, An act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes.

And find the same correctly enrolled,

H. C. CARR, *Chairman*.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

H. F. No. 105, An act to repeal section 1793, chapter 9, title 12 of the Code, in relation to children attending schools in adjoining districts and enacting a substitute.

H. F. No. 364, An act to legalize the levy of certain road taxes in the county of Howard, and the extending of the same upon the tax books of said county.

S. F. No. 40, An act authorizing the Governor to appoint Aids-de-Camp.

H. F. No. 284, An act to perfect title in certain lands to Matilda Carter.

S. F. No. 32, An act to restrain vagrancy and common beggary.

S. F. No. 179, An act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code, and for other purposes.

Substitute for H. F. Nos. 348 and 427, An act to amend section 135 of the Code, relating to appeals to the supreme court.

H. F. No. 101, An act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly, enlarge and define the duties of Fish Commissioner, and appropriate money to carry out the provisions of this act.

H. C. CARR, *Chairman*.

BILLS ON THIRD READING.

S. F. No. 250, A bill for an act to regulate the keeping of saloons, taverns, drinking houses, gaming houses, and other places where persons resort for the purpose of drinking and gaming.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Larrabee, McCoid, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Rumble, Thornburg, Wood, Woolson, and Wright—28.

The nays were:

Senators Carr, Cooley, Kinne, Lovell, McCormack, Merrell of Clin-

ton, Merrill of Wapello, Nichols, Pease, Perkins, Rothert, Stoneman, Teale, Willett, Williams, Wilson, Wonn, and Young—18.

Absent or not voting:

Senators Hartshorn, Hitchcock, and Murphy—3.

So the bill passed and the title was agreed to.

S. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code, in relation to railways.

The question being on concurring in the House amendments to the bill.

On the question shall the Senate concur in the House amendments, the yeas were none.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

Absent or not voting:

Senators Hersey, Hitchcock, McCoid, and Murphy—4.

. The Senate refused to concur in the House amendments.

Substitute for S. F. Nos. 138 and 174, a bill for an act to amend chapters 48 and 54 of the private, local, and temporary acts of the Fifteenth General Assembly, entitled, an act relating to the taxes voted in aid of the construction of railroads.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Wood, Wright, and Young—36.

The nays were:

Senators Dashiell, Lovell, Maginnis, Merrell of Clinton, Miller of Appanoose, Stoneman, Teale, and Willett—8.

Absent or not voting:

Senators Hersey, Hitchcock, McCoid, Murphy, and Woolson—5.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 124, A bill for an act to provide for the enforcement of warrants and orders of corporations in certain cases, with the report of the committee recommending its indefinite postponement, was taken up and considered, and the report of the committee concurred in.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a Justice of the Peace in Harrison county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Campbell moved to insert in the publication clause the words, "without expense to the State."

The motion was adopted.

Senator Perkins moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Newton, Perkins, Rothert, Rump, Thornburg, Willett, Wonn, Wood, Woolson, and Wright—33.

The nays were:

Senators Cooley, Dashiell, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Pease, Teale, Williams, Wilson, and Young—12.

Absent or not voting:

Senators Hitchcock, Jessup, Murphy, and Stoneman—4.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

By leave, Senator Rothert, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 217, A bill for an act supplying copies of White's Geological Report, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane, at Independence, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and if adopted, that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane, at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and if adopted, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that

the accompanying substitute be adopted, and if adopted, that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 139, A bill for an act for the improvement of the penitentiary at Fort Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for the increased salaries of certain officers of said penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute, and recommend that the bill so substituted do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 241, A bill for an act making an appropriation for the penitentiary at Anamosa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute, and recommend that the bill so substituted do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 238, A bill for an act making further appropriation for the college for the blind at Vinton, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and if adopted it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 242, A bill for an act to make appropriations for the Iowa Soldiers Orphans' House and Home for Indigent Children at Davenport, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute, and recommend that the substitute do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 108, A bill for an act to provide for the erection of the west lateral wing and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and if adopted it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 146, A bill for an act making appropriations for the Iowa Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back

to the Senate with the following substitute, and recommend that it be adopted, and if adopted that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and if adopted it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Senator Rothert moved to make the consideration of the reports of the Committee on Appropriations, a special order for 3 o'clock this afternoon, and that the chairman of the Committee on Printing be instructed to have the schedule printed.

The motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 101, A bill for an act to promote fish culture in the State of Iowa, and amend chapter 50 of the laws of the Fifteenth General Assembly.

S. F. No. 179, A bill for an act to repeal sections 1681, 1682, and 1683, chapter 6, title 7 of the Code.

Substitute for H. F. No. 34, and 427, A bill for an act to amend section 135 of the Code, relating to appeals to the Supreme Court.

BEN. VAN STEINBURG,
Second Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The Governor, by his private secretary, W. H. Fleming, submitted to the Senate a communication in writing.

SPECIAL ORDER.

The President announced the arrival of the hour for the consideration of S. F. No. 207, A bill for an act changing the boundaries of

Pottawattamie and Montgomery counties; S. F. No. 172, A bill for an act changing the boundaries of Cass and Pottawattamie counties, and S. F. No. 219, A bill for an act providing for the organization of the county of Cook. S. F. No. 172, was taken up and considered.

Senator Young offered a substitute for the bill.

Senator Merrell of Clinton, moved to indefinitely postpone the bill.

The motion prevailed.

Senator Hebard, by unanimous consent, withdrew S. F. No. 207 from the files.

S. F. No. 219, was then taken up and considered.

Senator Wright moved to suspend the eleventh rule, and read the bill a third time now.

Senator Merrell of Clinton, moved to indefinitely postpone the bill.

The motion prevailed.

On motion of Senator Willett, at 12 m., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

BILLS ON SECOND READING.

S. F. No. 240, A bill for an act to legalize and declare of same force and effect as original, certain records in district court of Des Moines county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Williams moved that the eleventh rule be suspended, and the bill read a third time.

The motion prevailed

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—49.

The nays were none.

Absent or not voting:

Senators Bailey, Cooley, Hartshorn, Hitchcock, Murphy, Nichols, Stoneman, Teale, and Young—9.

So the bill passed and the title was agreed to.

S. F. No. 190, A bill for an act to enable counties to dispose of property in certain cases, with the report of committee recommending a substitute, and when adopted it do pass, was taken up and considered.

Senator Harmon moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—39.

The nays were none.

Absent or not voting:

Senators Clark, Cooley, Hartshorn, Hitchcock, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Stoneman, and Young—10.

So the bill passed and the title was agreed to.

S. F. No. 14, A bill for an act to legalize the official acts of D. H. Payne, a Notary Public, with the report of the committee recommending its passage, was taken up and considered.

Senator Wonn moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Rothert, Rumble, Teale, Willett, Williams, Wilson, Wonn, Wood, and Wright—37.

The nays were none.

Absent or not voting:

Senators Cooley, Hersey, Hitchcock, McCoid, Merrill of Wapello, Murphy, Nichols, Perkins, Stoneman, Thornburg, Woolson, and Young—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 186, A bill for an act to legalize the sale of certain school lands in Cherokee county.

Substitute for H. F. No. 130, A bill for an act to legalize the incorporation of the town of Ackley, Hardin county, Iowa.

Also, that the House has passed, without amendment, S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes, in certain cases, for an amount less than the taxes, interest and costs due thereon.

Also, that the House has concurred in Senate amendments to H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

I am also herewith directed to request of the Senate the return to the House of H. F. No. 236, A bill for an act to amend sections 404, 405, 843, 853, 857, 865, 866 and 890 of the Code.

J. W. LOGAN, *Chief Clerk.*

S. F. No. 142, A bill for an act repealing chapter 8, title 14 of the Code, and providing for mechanics' liens, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Williams moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

Senator Dashiell moved to reconsider the vote by which the 11th rule was suspended.

The motion was not agreed to.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Jessup, Kinne, Lovell, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Nichols, Rothert, Rumble, Teale, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—31.

The nays were:

Senators Conaway, Dashiell, Hebard, Larrabee, McCoid, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Perkins, and Thornburg—11.

Absent or not voting:

Senators Dows, Hartshorn, Hitchcock, Murphy, Pease, Stoneman, and Young—7.

So the bill passed and the title was agreed to.

On motion of Senator Larrabee, the Secretary was directed to return to the House, as requested, H. F. No. 236, A bill for an act to amend sections 404, 405, 843, 853, 857, 865, 866, and 890 of the Code.

By leave, Senator Jessup introduced S. F. No. 264, A bill for an act to make an appropriation to liquidate debts of the Iowa Reform School.

Read first and second time, and referred to the Committee on Appropriations.

SPECIAL ORDER.

The President announced the arrival of the hour for the consideration of the vote by which the joint resolution agreeing to a proposed amendment of section (1) one, of article (2) two, and section (4) four of article (3) three, of the Constitution of the State of Iowa, was lost.

The motion to reconsider prevailed.

Senator McCoid moved to reconsider the vote by which the joint resolution was ordered to a third reading.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, Lovell, McCoid, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Perkins, Thornburg, Wood, and Woolson—24.

The nays were:

Senators Carr, Clark, Cooley, Dows, Hebard, Kinne, Larrabee, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Pease, Rothert, Rumble, Teale, Willett, Williams, Wilson, Wonn, and Wright—20.

Absent or not voting:

Senators Hitchcock, Murphy, Nichols, Stoneman, and Young—5.

So the motion was agreed to.

Senator McCoid moved to amend by striking out the word "next," in the 11th line, and insert "election in the year 1877."

The motion prevailed.

On motion of Senator McCoid, the eleventh rule was suspended, and the joint resolution read a third time.

On the question, shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Campbell, Conaway, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Jessup, McCoid, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Thornburg, Wood, and Woolson—22.

The nays were:

Senators Bestow, Carr, Clark, Cooley, Dows, Hartshorn, Hebard, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Pease, Rothert, Rumble, Teale, Willett, Williams, Wilson, Wonn, and Wright—23.

Absent or not voting:

Senators Murphy, Hitchcock, Stoneman, and Young—4.

So the joint resolution, having failed to receive a constitutional majority, was lost.

SPECIAL ORDER.

The President announced the arrival of the hour for the special order, which was the consideration of the appropriation bills as reported by that committee.

S. F. No. 217, A bill for an act supplying copies of White's Geological Report, with the report of the committee without recommendation, was taken up and considered.

Senator Larrabee moved to strike out "three dollars" and insert "two dollars."

The amendment prevailed.

Senator Dashiell moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Campbell, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hersey, Kinne, Lovell, McCormack, Maginnis, Miller of Black Hawk, Newton, Teale, and Willett—20.

The nays were :

Senators Bestow, Carr, Clark, Hartshorn, Hebard, Jessup, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—25.

Absent or not voting:

Senators Arnold, Hitchcock, Murphy, and Stoneman—4.

So the motion to indefinitely postpone was lost.

Senator Larrabee moved to strike out the word "more," after the word "copies," in section 1.

The amendment prevailed.

Senator Dashiell moved to strike out of section 3, the words, "two copies to the members of the Sixteenth General Assembly."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Kinne, Lovell, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Newton, Thornburg, Willett, and Wilson—19.

The nays were:

Senators Carr, Conaway, Dows, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Williams, Wonn, Wood, Woolson, Wright, and Young—25.

Absent or not voting:

Senators Arnold, Clark, Hitchcock, Murphy, and Stoneman—5.

So the motion was lost.

Senator Carr moved to strike out the word "two," before the word "copies," in second line of section 3.

The amendment was not agreed to.

Senator Wood moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Carr, Clark, Conaway, Dows, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—31.

The nays were:

Senators Bailey, Campbell, Cooley, Dashiell, Dwelle, Gallup, Graham, Kinne, McCormack, Maginnis, Miller of Black Hawk, Newton, Teale, and Willet—14.

Absent or not voting:

Senators Hitchcock, Miller of Appanoose, Murphy, and Stoneman—4.

So the bill passed and the title was agreed to.

S. F. No 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, with the report of the committee recommending a substitute, and when so adopted it do pass, was taken up and considered. The substitute was adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were none.

Absent or not voting:

Senators Gallup, Hitchcock, Murphy, Nichols, and Stoneman—5.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 253, A bill for an act appropriating money to pay the commissioners appointed by Governor C. C. Carpenter to investigate the affairs of the State Reform School.

H. F. No. 247, A bill for an act to repeal section 576, title 4, chapter 1 of the Code, and to enact a substitute therefor.

H. F. No. 270, A bill for an act to legalize the acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa.

H. F. No. 442, A bill for an act to legalize the recorded plat of the town of Tracy, now Van Meter, Dallas county, Iowa.

H. F. No. 377, A bill for an act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

J. W. LOGAN, *Chief Clerk.*

S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mount Pleasant, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

Senator Woolson moved to strike out "\$2,000" in appropriation for washing and ironing rooms, and insert "\$3,400."

The motion did not prevail.

Senator Campbell moved to strike out "\$5,000" in appropriation for pavement, and insert "\$2,000."

The motion was lost.

Senator Cooley moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Hitchcock, Murphy, Pease, and Stoneman—4.

So the bill passed and the title was agreed to.

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University, with the report of the committee recommending a substitute and when adopted it do pass, was taken up and considered.

Senator Teale offered the following as an additional section to the bill:

SECTION 4. The regents of the State University are hereby required to take immediate steps to make the law and medical departments self supporting by fixing the fees of students in those departments at such sums as will defray all the expenses of those departments.

Senator Campbell moved to amend by striking out the words "are hereby required to take immediate steps to," and insert the words "may in their discretion."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Campbell, Cooley, Dows, Dwelle, Graham, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Mitchell, Newton, Nichols, Pease, Teale, Thornburg, Williams, Wilson, Woolson, and Young—27.

The nays were:

Senators Arnold, Carr, Clark, Conaway, Dashiell, Gallup, Gilmore, Harmon, Miller of Appanoose, Miller of Black Hawk, Perkins, Rotherth, Rumple, Willett, Wood, and Wright—18.

Absent or not voting:

Senators Hartshorn, Hersey, Hitchcock, Murphy, Stoneman, and Wonn—8.

So the amendment was adopted.

Senator Dashiell moved to strike out the second section of the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Campbell, Conaway, Dashiell, Graham, Hebard, McCoid, McCormack, Miller of Appanoose, Pease, Perkins, Teale, Williams, Woolson, and Young—15.

The nays were:

Senators Arnold, Bailey, Carr, Clark, Cooley, Dows, Dwelle, Gallup, Gilmore, Harmon, Jessup, Kinne, Larrabee, Lovell, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Rotherth, Rumple, Thornburg, Willett, Wilson, Wonn, Wood, and Wright—29.

Absent or not voting:

Senators Hartshorn, Hersey, Hitchcock, Murphy, and Stoneman—5.

The amendment was lost.

Senator Woolson moved to postpone further consideration until tomorrow morning, and that the Committee on Appropriations be instructed to furnish an itemized statement.

The motion was lost.

The substitute was then adopted.

Senator Rumple moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Wilson, Wonn, Wood, Wright, and Young—41.

The nays were:

Senators Conaway, and Teale—2.

Absent or not voting:

Senators Hersey, Hitchcock, Murphy, Stoneman, Williams, and Woolson—6.

So the bill passed and the title was agreed to.

Senator Rothert moved to adjourn.

The motion prevailed, and at 6:20 P. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 11, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. J. W. Monser.

On motion of Senator Rothert, the reading of the journal of yesterday was dispensed with.

The Senate resumed the consideration of bills on second reading, being the appropriation bills reported by the Committee on Appropriations.

Senator Merrell, of Clinton, was excused on account of sickness.

Senator Hitchcock was excused on account of sickness.

S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for the increased salaries of certain officers of said penitentiary, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

Senator Campbell moved to strike out "\$7,500" for converting Deputy Warden's house into cells."

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Campbell, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Kinne, Lovell, McCormack, Maginnis, Stoneman, Wilson, and Young—16.

The nays were:

Senators Arnold, Carr, Clark, Dows, Gallup, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, McCoid, Merrill of Wapello, Miller

of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Thornburg, Willett, Williams, Wonn, Wood, Woolson, and Wright—30.

Absent or not voting:

Senators Hitchcock, Merrell of Clinton, and Teale—3.

So the motion was lost.

The substitute was then adopted.

On motion of Senator Rothert, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willet, Williams, Wilson, Wonn, Woolson, and Wright—42.

The nays were:

Senators Campbell, Graham, McCormack, Wood, and Young—5.

Absent or not voting:

Senators Hitchcock, and Merrell of Clinton—2.

So the bill passed and the title was agreed to.

On motion of Senator Arnold, the special order set for 10 o'clock this morning was postponed until the appropriation bills before the Senate were disposed of.

Senator Nichols filed a motion to reconsider the vote by which substitute for S. F. Nos. 138 and 174, A bill for an act to amend chapters 48 and 54 of the private, local and temporary acts of the Fifteenth General Assembly, entitled "An act relating to the taxes voted in aid of the construction of railroads," passed the Senate yesterday, and moved to postpone further consideration of the motion until the bills now pending were disposed of.

COMMUNICATION FROM THE GOVERNOR.

The President laid before the Senate a communication from the Governor, relating to the pardon of Lewis Weirich, convicted of murder in the first degree at the March term, 1873, of the District Court in and for the county of Harrison.

The communication and accompanying papers were ordered printed and referred to the Judiciary Committee.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 460, A bill for an act to legalize the election held in Mitchell county, Iowa, on the 12th day of October, A. D., 1875.

H. F. No. 488, A bill for an act providing for the election of City Assessors in cities organized and existing under special charter.

Also, the House has passed without amendment S. F. No. 243, A bill for an act to provide for transfer of moneys raised by special levies to general county fund.

BEN. VAN STEINBURG,
Assistant Clerk.

S. F. No. 241, A bill for an act making an appropriation for the Penitentiary at Anamosa, with the report of the committee recommending a substitute, and, when adopted, it do pass, was taken up and considered.

Senator Teale moved to strike out "\$20,000 for building the wall."

On this question the yeas and nays were demanded, and the yeas were:

Senators Dashiell, McCoid, Teale, and Williams—4.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rother, Rumble, Stoneman, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

Absent or not voting:

Senators Dwelle, Hitchcock, and Merrell of Clinton—3.

So the motion did not prevail.

Senator Lovell offered an additional section to the bill.

Senator Dashiell, moved the previous question, which was seconded, and the main question ordered.

The Senate refused to adopt the amendment offered by Senator Lovell.

The substitute was adopted.

The bill was ordered engrossed.

Senator Hartshorn moved to reconsider the motion by which the bill was ordered engrossed.

The motion prevailed.

On motion of Senator Hartshorn, the eleventh rule was suspended, and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Rother, Rumble, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, Wright, and Young—41.

The nays were:

Senators McCoid, and Teale—2.

Absent or not voting:

Senators Hitchcock, Merrell of Clinton, Pease, Perkins, Stoneman, and Williams—6.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 112, A bill for an act to repeal subdivision 24 of section 303, chapter 2, title 4 of the Code, to allow boards of supervisors to make additional appropriation for county bridges and enact a substitute in lieu thereof.

S. F. No. 127, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases for an amount less than the taxes, interest, and costs due thereon.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Harrison county, Iowa.

H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 9, A bill for an act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

J. J. FLYNN,
Second Assistant Clerk.

Senator Gilmore, moved that when the Senate adjourn, it adjourn to meet at 2 o'clock this afternoon.

The motion prevailed.

S. F. No. 234, A bill for an act making further appropriations for the college for the blind at Vinton, Iowa, with the report of the committee recommending a substitute, and when adopted, it do pass, was taken up and considered.

The substitute was adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumpel, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Hitchcock, Merrell of Clinton, Miller of Black Hawk, and Stoneman—4.

So the bill passed, and the title was agreed to.

S. F. No. 242, A bill for an act to make appropriation for the Iowa Soldiers' Orphans' House and Home for Indigent Children at Davenport, Iowa, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Murphy moved to suspend the 11th rule and read the bill a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—44.

The nays were none.

Absent or not voting:

Senators Dows, Hersey, Hitchcock, Merrell of Clinton, and Stoneman—5.

So the bill passed and the title was agreed to.

S. F. No. 208, A bill for an act to provide for the erection of the west lateral wing, and completion of the buildings of the deaf and dumb asylum at Council Bluffs, Iowa, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Rothert moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Hersey, Hitchcock, Larrabee, Merrell of Clinton, Murphy, Nichols, and Teale—7.

So the bill passed and the title was agreed to.

S. F. No. 146, A bill for an act making appropriations for the Iowa Reform School, with the report of the committee recommending a substitute and when adopted it do pass, was taken up and considered.

Senator Miller of Black Hawk, moved to amend section 1, by adding "for text books and apparatus, \$500.00."

The amendment was lost.

The substitute was adopted.

Senator Rothert moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCor-

mack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—43.

The nays were none.

Absent or not voting:

Senators Hersey, Hitchcock, Merrell of Clinton, Miller of Appanoose, Stoneman, and Young—6.

So the bill passed and the title was agreed to.

S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College, with the report of the committee recommending a substitute and when so adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Rumble moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senators Maginnis, and Teale—2.

Absent or not voting:

Senators Dwelle, Hersey, Hitchcock, Merrell of Clinton, Miller of Appanoose, Nichols, Stoneman, and Miller of Black Hawk—8.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills:

H. F. No. 9, A bill for an act to establish uniformity in relation to sight bill of exchange.

H. F. No. 486, A bill for an act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 473, A bill for an act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Harrison county.

H. F. No. 112, A bill for an act to repeal subdivision 24, section 303, chapter 2, title 4 of the Code, and to enact a substitute therefor.

H. F. No. 253, A bill for an act appropriating money to pay the commissioners appointed by Governor C. C. Carpenter to investigate the State Reform School.

H. F. No. 247, An act to repeal section 576, title 4, chapter 1 of the Code, and to enact a substitute therefor.

H. F. No. 442, An act to legalize the recorded plat of the town of Tracy, now Van Meter, Dallas county, Iowa.

H. F. No. 270, An act to legalize the acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa.

H. F. No. 237, An act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

S. F. No. 127, An act to authorize the sale of lands for taxes in certain cases for an amount less than the taxes, interest and costs due thereon.

S. F. No. 243, An act to provide for the transfer of moneys raised by special levy, to county fund for general purposes.

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

H. F. No. 253, An act appropriating money to pay the commissioners appointed by Gov. C. C. Carpenter to investigate the affairs of the State Reform School.

H. F. No. 247, An act to repeal section 576, title 4, chapter 1, of the Code, and to enact a substitute therefor.

H. F. No. 270, An act to legalize the acts of R. P. Berry, a constable of Platte township, Taylor county, Iowa.

H. F. No. 442, An act to legalize the recorded plat of the town of Tracy, now Van Meter, Dallas county, Iowa.

H. F. No. 377, An act to repeal section 1271 of the Code of 1873, and enact a substitute therefor.

H. F. No. 486, An act to legalize the incorporation of the Grinnell and Montezuma Telegraph Company.

H. F. No. 9, An act to establish uniformity throughout the State in regard to grace upon sight bills of exchange.

H. F. No. 473, An act to legalize the official acts of S. S. N. Fuller, a justice of the peace in Marion county, Iowa.

S. F. No. 127, An act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest, and costs due thereon.

H. F. No. 112, An act to repeal subdivision 24, of section 303, chapter 2, title 4, of the Code, to allow boards of supervisors to make additional appropriations for county bridges, and enact a substitute in lieu thereof.

H. C. CARR, *Chairman*.

Senator Campbell, from the Committee on Railroads, introduced S. F. No. 265, A bill for an act for the relief of certain railroad companies, their officers, agents and employees.

Read first and second time, ordered printed, and passed on file.

On motion of Senator Miller, of Black Hawk, S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, was made a special order for two o'clock this afternoon.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body

that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

Also, the House has passed, without amendment, S. F. No. 240, A bill for an act to legalize and declare of same force and effect as originals, certain records in the district court of Des Moines county, Iowa.

BENJ. VAN STEINGURG,
Assistant Clerk.

REPORTS OF COMMITTEES.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 262, A bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 125, A bill for an act to amend section 1539, of chapter 6, title 11 of the Code, relating to sale of intoxicating liquors to minors and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted, and that when so adopted the same do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 189, A bill for an act to legalize the issue of certain time warrants in Lyon township, Lyon county, Iowa, and provide for paying the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the statement that in their opinion all of the said bill after the word legalized in the fourth line of section 1 is unconstitutional.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred a substitute for H. F. No. 35, A bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for S. F. No. 230, A bill for act providing for the pub-

lication of propositions to amend the Constitution and for other purposes connected therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section 2 down to and including the words "Secretary of State" in line 21 of page 5 of said bill, and inserting the amendment herewith submitted, and that when so amended, the same do pass.

JNO. S. WOOLSON, *for Committee.*

Ordered passed on file.

Senator Gilmore, from the Committee on Internal Improvements, submitted the following report:

MR. PRESIDENT:—Your Committee on Internal Improvements, to whom was referred S. F. No. 116, A bill for an act authorizing lands subject to overflow and wet lands to be drained, and authorizing the erection of levees, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. R. GILMORE, *Chairman.*

Ordered passed on file.

Senator Rotherth, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 264, A bill for an act to make an appropriation to liquidate debts of Iowa Reform School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

On motion of Senator Nichols, the reconsideration of the motion by which substitute for S. F. Nos. 1388, and 74 was passed, was postponed until Monday next, at 10 o'clock.

Senators Campbell, Gallup, Pease, and Wright, were excused.

On motion of Senator Bestow, the Senate at 12 m., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

SPECIAL ORDER.

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools, with the

report of the committee without recommendation, was taken up and considered.

Senator Miller of Black Hawk, offered a substitute for the bill, on the adoption of which the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Carr, Clark, Conaway, Dwelle, Gilmore, Harmon, Hersey, Jessup, Larrabee, Miller of Black Hawk, Mitchell, Nichols, Perkins, Rothert, Rumples, Thornburg, Woolson, and Young—20.

The nays were:

Senators Bailey, Dashiell, Graham, Hebard, McCormack, Maginnis, Merrill of Wapello, Newton, Teale, Willett, Wilson, Wonn, and Wood—13.

Absent or not voting:

Senators Campbell, Cooley, Dows, Gallup, Hartshorn, Hitchcock, Kinne, Lovell, McCoid, Merrell of Clinton, Miller of Appanoose, Murphy, Pease, Stoneman, Williams, and Wright—16.

So the substitute was adopted.

On motion of Senator Miller of Black Hawk, the 11th rule was suspended and the bill read third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hersey, Jessup, Larrabee, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Perkins, Rothert, Rumples, Thornburg, Woolson, Wright, and Young—26.

The nays were:

Senators Bailey, Dashiell, Graham, Hebard, McCoid, McCormack, Maginnis, Newton, Stoneman, Teale, Willett, Wilson, Wonn, and Wood—14.

Absent or not voting:

Senators Campbell, Gallup, Hitchcock, Kinne, Lovell, Merrell of Clinton, Merrill of Wapello, Pease, and Williams—9.

So the bill passed and the title was agreed to.

By leave Senator Dows presented a petition from citizens of Cedar county, asking for the continued enactment of the present liquor law.

Referred to the Committee on Suppression of Intemperance.

SPECIAL ORDER.*

Being S. F. No. 263, A bill for an act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly, the bill was taken up and considered.

Senator Larrabee moved to amend by adding section 4: The commissioners with the consent of the executive council may remove convicts confined at Fort Madison to the penitentiary at Anamosa, in such manner, at such time and in such numbers, as they may think for the best interests of the State.

The amendment was adopted.

Senator Larrabee moved to amend by inserting after word "rates" in section 4, the words "not less than fifty cents."

Senator Rothert moved to amend the amendment by striking out "fifty cents," and inserting "forty cents."

The amendment to the amendment prevailed, and the amendment as amended was adopted:

On motion of Senator Arnold the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hebard, Hersey, Jessup, Kinne, McCoid, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Perkins, Rothert, Rumple, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Cooley, Larrabee, Lovell, Maginnis, Murphy, Stoneman, and Willett—7.

Absent or not voting:

Senators Campbell, Gallup, Hartshorn, Hitchcock, Merrell of Clinton, Mitchell, and Pease—7.

So the bill passed and the title was agreed to.

Senator Graham was excused until Monday.

Senator Young was excused for the day.

HOUSE MESSAGES.

H. F. No. 488, A bill for an act providing for the election of city assessors in cities organized and existing under special charters.

Read first and second time.

Senator Cooley moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wonn, Wood, and Woolson—37.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Merrell of Clinton, Mitchell, Nichols, Pease, Wilson, Wright, and Young—11.

So the bill passed and the title was agreed to.

H. F. No. 460, A bill for an act to legalize the election held in Mitchell county, Iowa, on the 12th day of October, 1875, was taken up, and read first and second time.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Conaway, Cooley, Dwelle, Gilmore,

Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Perkins, Rothert, Stoneman, Teale, Thornburg, Willett, Williams, Wood, and Woolson—32.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Arnold, Campbell, Clark, Dows, Gallup, Graham, Hitchcock, Merrell of Clinton, Mitchell, Nichols, Pease, Rumble, Wilson, Wonn, Wright, and Young—16.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 134, A bill for an act in relation to cattle ways across public highways.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9, of the Code.

H. F. No. 490, A bill for an act to change the name of the village of West Point, in Butler county, Iowa, to the name of Bristow.

Also, the House has passed, without amendment:

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12, of the Code.

S. F. No. 223, A bill for an act to amend section 2049, of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats.

BENJ. VAN STEINBURG,

Assistant Clerk.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands, in Cherokee county, was taken up and read first and second time.

Senator Perkins moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hersey, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—32.

The nays were:

Senators Conaway, and Lovell—2.

Absent or not voting:

Senators Campbell, Cooley, Dashiell, Gallup, Graham, Hebard, Hitchcock, Merrell of Clinton, Mitchell, Pease, Rothert, Rumble, Teale, Wright, and Young—15.

So the bill passed and the title was agreed to.

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

Read first and second time.

Senator Nichols moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Conaway, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Murphy, Newton, Nichols, Perkins, Rother, Rumble, Stoneman, Thornburg, Willett, Wilson, Wonn, Wood, and Woolson—32.

The nays were none.

Absent or not voting:

Senators Campbell, Carr, Clark, Cooley, Gallup, Graham, Hebard, Hitchcock, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Teale, Williams, Wright, and Young—17.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 130, A bill for an act to legalize the incorporation and corporate acts of the town of Ackley.

Read first and second time.

Senator Jessup moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, Merrill of Wapello, Murphy, Newton, Perkins, Rother, Rumble, Stoneman, Thornburg, Willett, Williams, Wonn, Wood, and Woolson—32.

The nays were none.

Absent or not voting:

Senators Campbell, Clark, Gallup, Graham, Hitchcock, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Pease, Teale, Wilson, Wright, and Young—17.

So the bill passed and the title was agreed to.

H. F. No. 490, A bill for an act to change the name of the village of West Point, in Butler county, Iowa, to the name of Bristow.

Read first and second time.

Senator Woolson moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Murphy, Perkins, Rother, Rumble, Stoneman, Thornburg, Williams, Wilson, Wonn, Wood, and Woolson—33.

The nays were:

Senators Dashiell, Miller of Black Hawk, and Willett—3.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Merrell of Clinton, Miller of Appanoose, Mitchell, Newton, Nichols, Pease, Teale, Wright, and Young—13.

So the bill passed and the title was agreed to.

Senator Dows moved to reconsider the vote by which S. F. No. 263 passed the Senate this afternoon, and postpone further consideration of the motion until 10 o'clock Monday morning.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, Maginnis, Miller of Black Hawk, Murphy, Newton, Rumple, Stoneman, Teale, Thornburg, and Willett—26.

The nays were:

Senators Arnold, Gilmore, McCoid, McCormack, Merrill of Wapello, Rotherbert, Williams, Wonn, Wood, and Woolson—10.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Merrell of Clinton, Miller of Appanoose, Mitchell, Nichols, Pease, Perkins, Wilson, Wright, and Young—13.

The motion was adopted.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9, of the Code.

Read first and second time, and referred to the Committee on Schools.

H. F. No. 134, A bill for an act in relation to the construction of cattle ways across the public highway.

Read first and second time, and referred to the Committee on Highways.

Senator Kinne moved to adjourn.

The motion was lost.

Senator Kinne was excused for the day.

INTRODUCTION OF BILLS.

By the Committee on Judiciary: S. F. No. 266, A bill for an act to repeal section 3299 of the Code, and to enact a substitute therefor, and to amend section 3300 thereof, relating to actions of partitions.

Read first and second time.

Senator Willett moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Newton, Perkins, Rotherbert, Rumple, Stoneman, Teale, Thornburg, Willett, Wilson, Wood, and Woolson—33.

The nays were none.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, McCormack,

Merrell of Clinton, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Williams, Wonn, Wright, and Young—18.

So the bill passed and the title was agreed to.

Also, S. F. No. 267, A bill for an act to amend section 781, chapter 10, title 5 of the Code.

Read first and second time.

Senator Willett moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—36.

The nays were none.

Absent or not voting:

Senators Campbell, Cooley, Gallup, Graham, Hartshorn, Hitchcock, Kinne, Merrell of Clinton, Mitchell, Nichols, Pease, Wright and Young—13.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, substitute for H. F. No. 337 and S. F. No. 230, A bill for an act providing for the publication of propositions to amend the Constitution, and for other purposes connected therewith, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The committee amendments were adopted.

Senator Woolson moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Miller of Black Hawk, Murphy, Newton, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—36.

The nays were:

Senator Miller of Appanoose—1.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, Merrell of Clinton, Merrill of Wapello, Mitchell, Nichols, Pease, Wright, and Young—12.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, S. F. No. 125, A bill for an act to amend section 1539 of chapter 6, title 11 of the Code of 1873, relating to sales of intoxicating liquors to minors and others, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Woolson moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Wood, and Woolson—36.

The nays were none.

Absent or not voting:

Senators Campbell, Dows, Gallup, Graham, Hitchcock, Kinne, Merrell of Clinton, Mitchell, Nichols, Pease, Williams, Wright, and Young—13.

So the bill passed and the title was agreed to.

By leave, Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers, and amending the charters of such cities, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

MURPHY, *Chairman.*

Ordered passed on file, and on motion of Senator Murphy, the bill was taken up and considered.

Senator Woolson moved to amend section 21 by inserting, after the word "law," the words, "as to powers of cities under the general incorporation act."

The amendment was adopted.

Senator Murphy moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—34.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, McCoid, Merrell of Clinton, Mitchell, Nichols, Pease, Perkins, Teale, Wright, and Young—14.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

By leave, Senator Clark, from the Committee on State University, submitted the following report:

MR. PRESIDENT:—Your Committee on State University, to whom was referred S. F. No. 132, A bill for an act to amend section 4018 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. CLARK, *Chairman*.

Ordered passed on file, and on motion of Senator Clark, the bill was taken up and considered.

On motion of Senator Cooley, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, Lovell, McCormack, Maginnis, Miller of Black Hawk, Murphy, Newton, Rothert, Rumple, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, and Woolson—31.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, McCoid, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Nichols, Pease, Perkins, Teale, Wonn, Wright, and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Miller of Black Hawk, the Senate at 5:15 p. m., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 13, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. H. Oneal.

On motion of Senator Cooley the reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Nichols: A petition from citizens of Dexter, asking for the repeal or modification of the railroad freight tariff law.

Referred to the Committee on Railroads.

By Senator Arnold: A petition from the citizens of Boonsboro, relating to the tax of life insurance preminms.
Referred to the Committee on Insurance.

RESOLUTIONS.

Senator Cooley offered the following:

Resolved, That a sifting committee of ten, of the chairmen of the committees, be selected by the President, and that the committee be ordered to classify the bills in such order as in their opinion will best facilitate the business of the session.

On motion of Senator Rothert, the resolution was laid over until to-morrow.

Senator Clark offered the following resolution:

Resolved, That reporters of daily papers in constant attendance during the session of the Senate be allowed two dollars a week in stationery, upon their filing credentials with the Secretary of State.

The resolution was lost.

REPORTS OF COMMITTEES.

By leave, Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 74, A bill for an act to provide for the establishing of superior courts in cities of a certain grade, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and when so adopted that it do pass.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Senator Merrell of Clinton, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT:—Your Committee on Public Lands, to whom was referred H. F. No. 209, A bill for an act to amend section 93, chapter 5, title 2 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. A. MERRELL, *Chairman*.

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. MCCOID, *Chairman*.

Ordered passed on file, and on motion of Senator Rothert the bill was taken up and considered.

Senator McCoid moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Newton, Nichols, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—35.

The nays were none.

Absent or not voting:

Senators Arnold, Campbell, Carr, Gallup, Graham, Hitchcock, Jessup, Kinne, Miller of Appanoose, Mitchell, Murphy, Pease, Perkins, and Stoneman—14.

So the bill passed and the title was agreed to.

On motion of Senator Dows, S. F. No. 74, A bill for an act to provide for establishing superior courts in cities of a certain grade, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Dows moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Harmon, Hebard, Hersey, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wonn, Woolson, Wright, and Young—30.

The nays were:

Senators Dashiell, McCoid, Maginnis, Murphy, and Wilson—5.

Absent or not voting:

Senators Arnold, Campbell, Gallup, Graham, Hartshorn, Hitchcock, Jessup, Kinne, Larrabee, Miller of Appanoose, Mitchell, Pease, Stoneman, and Wood—14.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

By leave, Senator Rothert, from the Committee on Schools, submitted the following report:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred substitute for H. F. No. 289, A bill for an act to amend sections 1802 and 1808, of chapter 9, title 12 of the Code, relating to the election of directors in independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred

H. F. No. 15, A bill for an act to amend section 1725 of chapter 9 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. W. ROTHERT, *Chairman*.

Ordered passed on file.

The President laid before the Senate the following communication from the Secretary of State:

STATE OF IOWA,
OFFICE OF THE SECRETARY OF STATE, }
DES MOINES, March 11th, 1876. }

HON. JOSHUA G. NEWBOLD, *President of the Senate*:

SIR: I have this day presented to the House of Representatives, the report of the Cedar Falls & Minnesota railroad company, required to be made by section 1280, of the Code of 1873.

Very respectfully,

JOSIAH T. YOUNG, *Secretary of State*.

SPECIAL ORDER.

The President announced the arrival of the hour for the consideration of the vote by which S. F. No. 263, A bill for an act to amend section 4, chapter 35, of the private, local, and temporary acts of the Fifteenth General Assembly, passed the Senate.

The motion to reconsider prevailed.

Senator Rotherth moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

Senator Rotherth moved to strike out all relating to minimum prices.

The motion was adopted.

Senator Willett moved to insert the words "with the consent and approval of contracting parties and executive council."

The motion prevailed.

On motion of Senator Rotherth the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rotherth, Rumple, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hartshorn, Hitchcock, Jessup, Kinne, Merrell of Clinton, Miller of Appanoose, Mitchell, Pease, and Stoneman—12.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the vote by which substitute for S. F. Nos. 138 and 174, A bill for an act to amend chapters 48 and 54 of the private, local and temporary acts of the Fifteenth General Assembly, entitled "an act relating to the taxes voted in aid of the construction of railroads," passed the Senate.

The motion to reconsider prevailed.

Senator Nichols moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator Nichols moved to amend by inserting after 1876, in fourth line, the words "and have fully completed, including the laying of track thereon," and insert after word "subject" in seventh line, the words "have fully completed including the laying of the track thereon."

The amendment was adopted.

Senator Nichols moved that the 11th rule be suspended, and the bill read a third time now.

Senator Willett moved to lay the motion on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Clark, Dashiell, Gilmore, Merrell of Clinton, and Willett—6.

The nays were:

Senators Arnold, Bestow, Carr, Conaway, Dows, Dwelle, Harmon, Hebard, Hersey, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumples, Williams, Wilson, Wood, Woolson, Wright, and Young—27.

Absent or not voting:

Senators Campbell, Cooley, Gallup, Graham, Hartshorn, Hitchcock, Jessup, Kinne, Lovell, Miller of Appanoose, Mitchell, Pease, Stoneman, Teale, Thornburg, and Wonn—16.

The motion was lost.

On the motion of Senator Nichols to suspend the eleventh rule, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Carr, Clark, Cooley, Dows, Dwelle, Gilmore, Harmon, Hebard, Hersey, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Newton, Nichols, Perkins, Rothert, Rumples, Thornburg, Willett, Wonn, Wood, Woolson, Wright, and Young—26.

The nays were:

Senators Bailey, Bestow, Conaway, Dashiell, Larrabee, Lovell, Maginnis, Merrell of Clinton, Murphy, Williams, and Wilson—11.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hartshorn, Hitchcock, Jessup, Kinne, Miller of Appanoose, Mitchell, Pease, Stoneman, and Teale—12.

So the 11th rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Carr, Conaway, Cooley, Dows, Dwelle, Harmon, Hartshorn, Hebard, Hersey, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Stoneman, Williams, Wilson, Wonn, Wood, Wright, and Young—30.

The nays were:

Senators Bailey, Bestow, Clark, Dashiell, Gilmore, Lovell, Merrell of Clinton, Teale, Willett, and Woolson—10.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, Miller of Appanoose, Mitchell, Pease, and Thornburg—9.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

By leave, Senator Murphy, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words in the second line, section 1, "acting under the general incorporation law," and add the publication clause, and when so amended it do pass.

J. H. MURPHY, *for the Committee.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for S. F. Nos. 34, 53½ and 95, A bill for an act relating to the lands heretofore granted to the McGregor and Missouri River Railroad company, resuming said lands, and re-granting the same, upon new conditions, to said company, and providing for forfeiture thereof, and in case of such forfeiture for the disposition of said lands, with amendments as follows:

Insert in the sixth line of section 5, after the figures "1877," the words, "or fail to file the bond required by this act within the time prescribed;" strike out, in section 5, the words, "for the amount named," and insert the words, "as provided;" strike out of the last five lines of section 5, the words, "after January 1, 1877," and the words, "for the building of the road;" strike out of line eleven of section 7 the word "and" after the word pre-emption, and insert the word "or."

Add to section 5: "Said grant shall then enure to the benefit of the Iowa, Dakota & Black Hills Railroad Company, who shall have the

right to file its bonds and accept said grant for thirty days thereafter, subject to the limitations and restrictions hereinbefore or hereinafter provided."

Strike out of line 26, section six, the word "40," and insert "42."

Strike out of line 18 of section 2, the word "such;" said amendments being noted in the bill.

I also herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 240, A bill for an act to legalize and declare of same force and effect as originals, certain records in the district court of Des Moines county, Iowa.

S. F. No. 243, A bill for an act to provide for the transfer of moneys raised by special levy, to county fund for general purposes.

JAS. W. LOGAN, *Chief Clerk.*

BILLS ON SECOND READING.

S. F. No. 255, A bill for an act apportioning the State of Iowa into senatorial districts.

Senator Jessup offered a substitute for the bill.

Senator Young moved to amend section 32, by striking out "Shelby."

The motion was lost.

Senator Young moved to amend section 19, by striking out "Maddison" and inserting "Shelby."

The motion was lost.

Senator Nichols moved that the bill be made a special order for 2:15 this afternoon.

The motion was not agreed to.

The substitute was lost.

Senator Carr offered a substitute for the bill.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Carr, Clark, Conaway, Cooley, Dows, Gilmore, Harmon, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Miller of Appanoose, Murphy, Newton, Rothert, Rumpel, Willett, Williams, Wilson, Wonn, Wood, and Woolson—28.

The nays were:

Senators Bestow, Dashiell, Dwelle, Hartshorn, Hebard, Merrill of Wapello, Miller of Black Hawk, Nichols, Perkins, Stoneman, Teale, Thornburg, Wright, and Young—14.

Absent or not voting:

Senators Campbell, Gallup, Graham, Hitchcock, Kinne, Mitchell, and Pease—7.

So the substitute was adopted.

Senator Miller of Appanoose, moved to reconsider the vote by which the substitute was adopted.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Conaway, Dashiell, Dwelle, Gilmore, Gra-

ham, Hartshorn, Hebard, Hersey, Jessup, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Nichols, Perkins, Rothert, Stoneman, Teale, Thornburg, Williams, Woolson, Wright, and Young—30.

The nays were:

Senators Carr, Clark, Cooley, Dows, Harmon, Lovell, Murphy, Rumple, Willett, Wilson, Wonn, and Wood—12.

Absent or not voting:

Senators Bailey, Campbell, Gallup, Hitchcock, Kinne, Mitchell, and Pease—7.

So the motion to reconsider prevailed.

Senator Nichols moved to recommit the whole matter to the Committee on Senatorial Districts.

The motion prevailed.

On motion of Senator Rothert, the Senate, at 12:15 P. M., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

REPORT OF COMMITTEE.

By leave, Senator Nichols, from the Committee on Senatorial Districts, submitted the following report:

MR. PRESIDENT:—Your Committee on Senatorial Districts, to whom was referred S. F. No. 255, A bill for an act apportioning the State of Iowa into Senatorial Districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and that when adopted the same do pass.

S. D. NICHOLS, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

On motion of Senator Larrabee, bills on third reading were taken up.

Substitute for S. F. Nos. 34, 53½, and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri River Railroad Company, resuming said lands and re-granting the same upon new conditions to said company, and providing for forfeiture thereof, and in case of such forfeiture for the disposition to be made of said lands.

Senator Rothert was excused.

On the question, shall the Senate concur in the House amendments to the bill, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Wright—42.

The nays were none.

Absent or not voting:

Senators Gallup, Hitchcock, McCoid, Pease, Rothert, Woolson, and Young—7.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 395, A bill for an act to authorize the relocation of railroads.

JAS. W. LOGAN, *Chief Clerk.*

BILLS ON SECOND READING.

On motion of Senator Nichols, S. F. No. 255, A bill for an act apportioning the State of Iowa into Senatorial Districts, with the report of the committee recommending a substitute, and when so adopted it do pass, was taken up and considered.

On the question shall the substitute be adopted, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Stoneman Teale, Thornburg, Williams, Woolson, Wright, and Young—26.

The nays were:

Senators Bestow, Campbell, Carr, Cooley, Harmon, Hersey, Kinne, Larrabee, Lovell, McCormack, Maginnis, Murphy, Willett, Wilson, Wonn, and Wood—16.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, Merrell of Clinton, Pease, Rothert, and Rumble—7.

So the substitute was adopted.

Senator Nichols moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Dashiell, Dwelle,

Gilmore, Graham, Hartshorn, Hebard, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rumble, Stoneman, Teale, Thornburg, Williams, Woolson, Wright, and Young—30.

The nays were:

Senators Bestow, Carr, Cooley, Harmon, Hersey, Kinne, Lovell, McCormack, Murphy, Willett, Wilson, Wonn, and Wood—13.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, Merrell of Clinton, Pease, and Rothert—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bill without amendment:

S. F. No. 142, A bill for an act repealing chapter 8, of title 14, of the Code, and providing for Mechanic's liens.

J. W. LOGAN, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for consideration of substitute for S. F. Nos 195, and 210, A bill for an act, to provide for the appointment and election of a railway commissioner, defining his duties, establishing a board of railroad commissioners, and defining their duties; to prevent extortion and unjust discrimination by railway corporations, and to amend chapter 68 of the public laws of the Fifteenth General Assembly, entitled "an act to establish reasonable maximum rates for the transportation of freight and passengers, on the different railways of this State."

Senator Campbell moved to consider the bill by sections, which motion prevailed.

Senator Nichols moved to amend the substitute, by striking out all after the enacting clause, and inserting the following:

"That the Governor shall appoint a competent person a railway commissioner, to hold his office until his successor is elected and qualified; and such successor shall be elected at the next general election, and shall hold his office for the term of two years, and until his successor is elected and qualified; and he shall receive a salary of _____ dollars per annum, to be paid in the manner provided for other State officers.

SEC. 2. The railway commissioner shall inquire into any neglect or violation of the laws of the State by any railway corporation doing business therein, or by the officers, agents or employes of such corporation; and shall, from time to time, carefully examine and inspect the condition of each railroad in the State, and of its equipment and the manner of its conduct and management with relation to the public safety and convenience. He shall also examine into and ascertain the pecuniary condition and the manner of financial management of each and every railroad company doing business in this State.

SEC. 3. The said commissioner shall, on or before the first day of

February in each year, make a report to the Governor of his doings for the preceding year, containing such facts, statements and explanations as will disclose the working of the system of railway transportation in this State, and its relation to the general business and prosperity of the citizens of the State, and such suggestions and recommendations in respect thereto as may to him seem appropriate. Said report shall also contain, as to any railway corporation doing business in this State,

First. The amount of its capital stock;

Second. The amount of its preferred stock, if any, and the conditions of its preferment;

Third. The amount of its funded debt, and the rate of interest thereof;

Fourth. The amount of its floating debt;

Fifth. The cost of its road and equipments, including permanent way buildings and rolling stock, all real estate used exclusively in operating the road, and all conveniences and fixtures for the transaction of its business;

Sixth. The estimated value of all other property owned by such corporation, with a schedule of the same, not including lands granted in aid of its construction;

Seventh. The number of acres granted to aid the construction of its road by the United States or this State;

Eighth. The number of acres of such lands remaining unsold;

Ninth. A list of all its officers and directors, with their respective places of residence;

Tenth. Such statistics of the road and of its transportation business for the year as may, in the judgment of the commissioner, be necessary and proper for the information of the Legislature, or as may be required by the Governor. Such report shall exhibit and refer to the condition of such corporation on the 31st day of December of each year, and the detail of its transportation business transacted during the year ending on that day.

SEC. 4. To enable the commissioner to make such report, the president or managing officer of each railroad corporation doing business in this State, or owning any railroad in this State, shall furnish all necessary information required by the commissioner, in addition to the annual report required to be made by law by such corporation.

SEC. 5. The commissioner shall have power to examine the books, papers or documents of such corporation, or to examine, under oath or otherwise, any officer, director, agent, or employe of any corporation. And he is empowered to issue subpoenas and administer oaths in the same manner and with the same power to enforce obedience thereto, in the performance of his duties, as belong and pertain to the courts of law in this State; and any person who may wilfully obstruct said commissioner in the performance of his duties, or who may refuse to give any information within his possession that may be required by said commissioner, within the line of his duty, shall be deemed guilty of a misdemeanor, and shall be liable, on conviction thereof, to a fine not exceeding one thousand dollars, in the discretion of the court.

SEC. 6. In case of any vacancy occurring in said office by reason of resignation, removal, or from any other cause, the Governor shall fill

such vacancy until the next general election, when a new election shall take place to fill such vacancy or for the new term, as the case may be.

SEC. 7. The said commissioner shall hold his office at the capitol, shall have power to employ a secretary at an expense of not exceeding _____ dollars per annum, and shall take an oath and give bond in ten thousand dollars, to be approved by the Governor, for the faithful discharge of his duties, and shall be supplied with stationery and office furniture at the expense of the State.

SEC. 8. It shall be the duty of any railroad corporation, when within its power so to do, and upon reasonable notice, to furnish suitable cars to any and all persons when they apply therefor for the transportation of any and all usual kinds of freight, and to receive and transport such freight with all reasonable dispatch, and to provide and keep suitable facilities for the receiving and handling the same at any depot on the line of its road.

SEC. 9. No railway corporation shall charge for the transportation of goods, wares, property or merchandise on its road from any given point or station on its line, to any other point or station on its line, a greater amount than is at the same time charged for the transportation of a like quantity of the same goods, wares, property or merchandise to any point or station more remote from the point of shipment.

SEC. 10. Any railway corporation which shall violate any of the provisions of this act as to extortion or unjust discrimination, shall forfeit for every such offense, to the person, company or corporation aggrieved thereby, three times the actual damage sustained, or overcharges paid by the said party aggrieved, together with the costs of suit, to be recovered in a civil action therefor.

SEC. 11. When two or more railroads are operated by one corporation, whether as lessee or otherwise, the earnings shall be estimated according to the earnings of each separate road and ownership, and not by the earnings of the entire line, for the purposes of this act.

SEC. 12. Chapter sixty-eight (68) of the laws of the Fifteenth General Assembly, is hereby amended as follows: The third section thereof is hereby repealed. Section four (4) is hereby amended so that the same shall read as follows:

"It shall be unlawful for any railway corporation to charge, demand or receive from any person, company or corporation, an unreasonable price for the transportation of property, or for the handling or storing of any freight, or for the use of its cars or for any privilege or service afforded by it in the transaction of its business as a railway corporation."

Section five of said chapter is hereby amended so that the first three lines, thereof shall read as follows:

"The following classification of freights shall be taken and held to be the classification in force in this State under the provisions of section 1304 of the Code."

Section 6 of said chapter is hereby amended so that the same shall read as follows:

"Every railroad corporation doing business in this State shall prepare and keep posted in each of its freight and passenger offices, a copy of the foregoing classification of freights, together with a true copy of the schedule of rates of freight adopted by said corporation, and also,

the passenger tariff under which said road may be brought by the foregoing classification."

The ninth section of said chapter is hereby repealed.

SEC. 13. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register* and *State Leader*, newspapers published in Des Moines.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 305, A bill for an act amendatory of and in addition to section 814 of the Code, title 6, chapter 1 of the assessment of taxes.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute.

Also, that the House has passed the following bills with amendments as noted in the bills:

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes, and provide for the indigent children of the State, and make provision for industrial pursuits therein, amended in sixth line of section 1, by striking out the word "State," and inserting the words "Iowa soldiers."

Also, Substitute for S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated towns and cities to aid in the construction of railways, with the following amendments:

Strike out of the 2d section, second line, the words "one-third," and insert the word "majority;" also, to insert in same line, after the word "resident" the word "freehold."

Also, striking out the Senate amendment following the word "performed" in the thirteenth line, section second, and inserting in lieu thereof the following: "and to what point said road shall be fully completed, and any other conditions which shall be performed before such tax shall become due, collectable, or payable, and in no case shall such tax become due, collectable, or payable, until the road is fully completed to such point as mentioned in the notice."

Also, add after the word "notice" in the nineteenth line of section second the words, "together with an exact copy of the notice under which said election was held, which said county auditor shall at once cause to be recorded in the office of the recorder of deeds of the county."

Also, in same line after the word "made" the words "and recorded."

Also, add to section three the words, "Provided, That no homestead shall be sold for railroad tax under this act."

Also, by striking out all of line seven in section 4, and line 8 up to and including the word "thereon."

JAS. W. LOGAN, *Chief Clerk*.

I also herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code.

H. F. No. 488, A bill for an act providing for election of city assessors in cities organized and existing under special charters.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county, Iowa.

H. F. No. 166, An act to legalize the sale of certain school lands in Cherokee county, Iowa.

H. F. No. 413, An act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

H. F. No. 130, An act to legalize the incorporation and incorporate acts of the town Ackley.

H. F. No. 460, An act to legalize an election held in Mitchell county, Iowa, on the 12th day of October, 1875.

H. F. No. 290, An act to legalize the organization of the city of Oskaloosa as a city of the second class, etc.

J. W. LOGAN, *Chief Clerk.*

Senator Jessup moved that when the Senate adjourn, it adjourn until 7 o'clock P. M.

The motion prevailed.

On motion of Senator Willett, the Senate, at 5:30 P. M., adjourned.

EVENING SESSION.

Senate met pursuant to adjournment, and was called to order by the President.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined:

S. F. No. 240, An act to legalize and declare of same force and effect as originals certain records in district court of Des Moines county, Iowa.

S. F. No. 223, An act to amend section 2049, of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

S. F. No. 220, An act to amend section 1617, chapter 3, title 12 of the Code.

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa as a city of the second class, and to legalize the annexation thereto of certain territory.

H. F. No. 413, An act to legalize the levy of certain school taxes in Jackson township, Crawford county.

H. F. No. 130, An act to legalize the incorporation and corporate acts of the town of Ackley.

H. F. No. 460, An act to legalize the election held in Mitchell county on October 12, 1875.

H. F. No. 166, An act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, An act to change the name of the town of West Point, Butler county.

H. F. No. 488, An act providing for the election of city assessor in certain cases.

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

MR. PRESIDENT:—Your Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval:

S. F. No. 240, An act to legalize and declare of same force and effect as originals, certain records in the district court of Des Moines county, Iowa.

S. F. No. 243, An act to provide for the transfer of moneys raised by special levy, to county fund for general purposes.

S. F. No. 220, An act to amend section 1617, chapter 3, title 12, of the Code.

S. F. No. 223, An act to amend section 2049 of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa as a city of the second class, and to legalize the annexation thereto of certain territory.

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county.

H. F. No. 130, A bill for an act to legalize the incorporation and corporate acts of the town of Ackley.

H. F. No. 460, A bill for an act to legalize the election held in Mitchell county on October 12th, 1875.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county.

H. F. No. 488, A bill for an act providing for the election of city assessor in certain cases.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills without amendment:

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances and the acts of its officers thereunder.

S. F. No. 223, A bill for an act to amend section 2049 of chapter 1, title 14 of the Code, in relation to the weight of a bushel of oats

S. F. No. 220, A bill for an act to amend section 1617, chapter 3, title 12 of the Code.

H. F. No. 488, A bill for an act providing for election of city assessors in cities organized and existing under special charters.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county, Iowa.

H. F. No. 166, An act to legalize the sale of certain school lands in Cherokee county, Iowa.

H. F. No. 413, An act to legalize the levy of certain school taxes in Jackson township, Crawford county, Iowa.

H. F. No. 130, An act to legalize the incorporation and incorporate acts of the town Ackley.

H. F. No. 460, An act to legalize an election held in Mitchell county, Iowa, on the 12th day of October, 1875.

H. F. No. 290, An act to legalize the organization of the city of Oskaloosa as a city of the second class, etc.

J. W. LOGAN, *Chief Clerk.*

Senator Jessup moved that when the Senate adjourn, it adjourn until 7 o'clock p. m.

The motion prevailed.

On motion of Senator Willett, the Senate, at 5:30 p. m., adjourned.

EVENING SESSION.

Senate met pursuant to adjournment, and was called to order by the President.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined:

S. F. No. 240, An act to legalize and declare of same force and effect as originals certain records in district court of Des Moines county, Iowa.

S. F. No. 223, An act to amend section 2049, of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

S. F. No. 220, An act to amend section 1617, chapter 3, title 12 of the Code.

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa as a city of the second class, and to legalize the annexation thereto of certain territory.

H. F. No. 413, An act to legalize the levy of certain school taxes in Jackson township, Crawford county.

H. F. No. 130, An act to legalize the incorporation and corporate acts of the town of Ackley.

H. F. No. 460, An act to legalize the election held in Mitchell county on October 12, 1875.

H. F. No. 166, An act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, An act to change the name of the town of West Point, Butler county.

H. F. No. 488, An act providing for the election of city assessor in certain cases.

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

MR. PRESIDENT:—Your Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval:

S. F. No. 240, An act to legalize and declare of same force and effect as originals, certain records in the district court of Des Moines county, Iowa.

S. F. No. 243, An act to provide for the transfer of moneys raised by special levy, to county fund for general purposes.

S. F. No. 220, An act to amend section 1617, chapter 3, title 12, of the Code.

S. F. No. 223, An act to amend section 2049 of chapter 1, title 14, of the Code, in relation to the weight of a bushel of oats.

H. F. No. 290, A bill for an act to legalize the incorporation of the city of Oskaloosa as a city of the second class, and to legalize the annexation thereto of certain territory.

H. F. No. 413, A bill for an act to legalize the levy of certain school taxes in Jackson township, Crawford county.

H. F. No. 130, A bill for an act to legalize the incorporation and corporate acts of the town of Ackley.

H. F. No. 460, A bill for an act to legalize the election held in Mitchell county on October 12th, 1875.

H. F. No. 166, A bill for an act to legalize the sale of certain school lands in Cherokee county.

H. F. No. 490, A bill for an act to change the name of the village of West Point, Butler county.

H. F. No. 488, A bill for an act providing for the election of city assessor in certain cases.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills without amendment:

S. F. No. 249, A bill for an act to legalize the incorporation of the town of Carlisle and its ordinances and the acts of its officers thereunder.

S. F. No. 263, A bill for an act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly.
J. W. LOGAN, *Chief Clerk*.

Senate Bailey moved the Senate adjourn.

The motion prevailed, and at 10:45 P. M., the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 14, 1876. }

Senate met pursuant to adjournment, and was called to order by the President.

On motion of Senator Kinne, the reading of the journal of yesterday was dispensed with.

CONCURRENT RESOLUTION.

Senator Young offered the following concurrent resolution, which was adopted.

Resolved by the Senate the House concurring, That the Senate will meet the House of Representatives in joint convention, for the purpose of electing Warden of the Anamosa Penitentiary, and Trustees for the various State institutions, on Wednesday, March 15th, at 7 o'clock P. M.

On motion of Senator Dows, H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes, with the report of the committee recommending amendments, and when so amended it do pass was taken up and considered.

The amendments were adopted.

Senator Dows moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Rothert, Rumpel, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—40.

The nays were none.

Absent or not voting:

Senators Bailey, Carr, Dashiell, Gallup, Hitchcock, Merrell of Clinton, Pease, Perkins, and Stoneman—9.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

S. F. No. 20, a bill for an act to enlarge the powers of the trustees of the Orphans' Home.

On the question, shall the Senate concur in the House amendments, the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Bailey, Dashiell, Dows, Gallup, Hitchcock, Merrell of Clinton, and Pease—7.

So the Senate concurred in the House amendments.

Substitute for S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated towns and cities to aid in the construction of railroads.

On the question shall the Senate concur in the House amendments to the bill, Senator Nichols called for a division of the question.

On the question shall the Senate concur in all the amendments except the one relating to the homestead exemption, the yeas were:

Senators Arnold, Clark, Conaway, Cooley, Dows, Dwelle, Graham, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Williams, Wilson, Wonn, Wright, and Young—31.

The nays were:

Senators Bestow, Campbell, Gilmore, McCormack, Stoneman, Willett, Wood, and Woolson—8.

Absent or not voting:

Senators Bailey, Carr, Dashiell, Gallup, Harmon, Hitchcock, McCoid, Merrell of Clinton, Murphy, and Pease—10.

So the Senate concurred in the amendments.

On the question shall the Senate concur in the House amendment relating to the homestead exemption, the yeas were:

Senators Campbell, Clark, Conaway, Cooley, Gilmore, Kinne, Larrabee, McCoid, Maginnis, Rothert, Rumble, Willett, Wilson, Wood, and Woolson—15.

The nays were:

Senators Arnold, Bestow, Dows, Dwelle, Hebard, Hersey, Jessup, Lovell, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Perkins, Stoneman, Teale, Thornburg, Williams, Wright, and Young—21.

Absent or not voting:

Senators Bailey, Carr, Dashiell, Gallup, Graham, Harmon, Hartshorn, Hitchcock, Merrell of Clinton, Miller of Appanoose, Murphy, Pease, and Wonn—13.

So the Senate refused to concur in the House amendment relating to the homestead exemption.

S. F. No. 188, A bill for act to appropriate money for the portrait of Ansel Briggs, first Governor of the State of Iowa.

On the question shall the Senate concur in the House amendments to the bill, the yeas were:

Senators Arnold, Bestow, Campbell, Conaway, Cooley, Dwelle, Gilmore, Graham, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Newton, Nichols, Perkins, Rothert, Rumpel, Stoneman, Teale, Thornburg, Willett, Williams, Wood, Woolson, Wright, and Young—32.

The nays were none.

Absent or not voting:

Senators Bailey, Carr, Clark, Dashiell, Dows, Gallup, Harmon, Hartshorn, Hitchcock, Jessup, Merrell of Clinton, Miller of Appanoose, Mitchell, Murphy, Pease, Wilson, and Wonn—17.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 392, A bill for an act to establish circuit courts and establish county courts, and to define the powers and jurisdiction of the same.

H. F. No. 459, A bill for an act apportioning the State into representative districts, and declaring the ratio of representation.

H. F. No. 482, A bill for an act to release Page county from payment of certain taxes claimed by the State of Iowa.

Substitute for H. F. 240, A bill for an act to provide for the organization and support of asylum at Glenwood in Mills county, for feeble minded children.

Also, that the House has passed the following bill without amendment:

Substitute for S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

Also, S. F. No. 188, A bill for an act appropriating money for portrait of Ansel Briggs, first governor of Iowa, with an amendment, adding a second section, which is attached to the bill.

J. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES.

Substitute for H. F. No. 395, A bill for an act to authorize the relocation of railroads.

Read first and second time, and referred to the Committee on Railroads.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor.

Read first and second time, and referred to Committee on Penitentiaries.

H. F. No. 305, A bill for an act amendatory of and in addition to section 814 of the Code, title 6, chapter 1, of the assessment of taxes.

Read first and second time, and referred to the Committee on Ways and Means.

H. F. No. 459, A bill for an act apportioning the State into Representative Districts, and declaring the ratio of representation.

Read first and second time, and referred to Committee on Representative Districts.

Substitute for H. F. No. 392, A bill for an act to abolish circuit courts and establish county courts, and to define the powers and jurisdiction of the same.

Read first and second time, and referred to Committee on Judiciary.

Substitute for H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa.

Read first and second time and referred to the Committee on Judiciary.

Substitute for H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble-minded children.

Read first and second time, and referred to a special committee consisting of Senators Woolson, Wright and Stoneman.

PETITIONS AND MEMORIALS.

By leave, Senator Hersey presented remonstrances from citizens of Sand Spring and vicinity, Delaware county, of Monticello, Farley and Worthington, against the passage of H. F. No. 395, A bill for an act to provide for the re-location of railroads.

Referred to Committee on Railroads.

By leave, Senator Nichols introduced S. F. No. 268, A bill for an act to legalize the conveyance of a certain tract of land for cemetery purposes, in Dennison township, Crawford county, Iowa.

Read first and second time.

Senator Nichols moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Hebard, Hersey, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Nichols, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, and Wood—32.

The nays were:

Senator Willett—1.

Absent or not voting:

Senators Clark, Dows, Gallup, Graham, Hartshorn, Harmon, Hitchcock, Kinne, Miller of Appanoose, Mitchell, Pease, Perkins, Wonn, Woolson, Wright, and Young—16.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 26, A bill for an act relating to the law of negligence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendment be adopted, and so amended that the bill do pass: Insert after the word "prudence" in the sixth line of section second the words, "after becoming aware of such negligence."

G. R. WILLETT, *Chairman.*

Ordered passed on file.

On motion of Senator Willett, H. F. No. 26, A bill for an act relating to the law of negligence, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The amendments were adopted.

Senator Willett moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Hebard, Kinne, Maginnis, Miller of Black Hawk, Newton, Nichols, Rumble, Teale, Thornburg, Willett, Williams, and Woolson—21.

The nays were:

Senators Arnold, Carr, Hersey, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Rothert, Stoneman, Wilson, Wood, and Wright—15.

Absent or not voting:

Senators Dows, Gallup, Graham, Harmon, Hartshorn, Hitchcock, Jessup, Miller of Appanoose, Mitchell, Pease, Perkins, Wonn, and Young—13.

So the bill, having failed to receive a constitutional majority, was lost.

REPORTS OF STANDING COMMITTEES.

Senator Williams, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 134, A bill for an act in relation to the construction of cattle ways across the public highway beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. WILSON WILLIAMS, *Chairman.*

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 443, A bill for an act to amend chapter 107, of the private, local, and temporary acts of the Fourteenth General Assembly, appropriating money for the relief of Joseph Metz, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the first section of the bill, and when so amended that it do pass.

A. HEBARD, *Chairman*.

Ordered passed on file.

Senator Hersey, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred substitute for S. F. No. 19, and H. F. No. 233, A bill for an act to repeal section 3789 of the Code, in relation to sheriffs' fees and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. G. HERSEY, *Chairman*.

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills:

Substitute for S. F. Nos. 34, 53½, and 95, An act relating to the lands heretofore granted to the McGregor and Missouri River Railroad Company, resuming said land and regranteeing the same upon new conditions to said company, and providing for forfeiture thereof, and in case of such forfeiture, for the disposition to be made of said lands.

S. F. No. 142, An act repealing chapter 8, title 14 of the Code, and providing for mechanics liens,

And find the same correctly enrolled.

H. C. CARR, *Chairman*.

INTRODUCTION OF BILLS.

By Committee on Claims: S. F. No. 269, A bill for an act for the relief of Wm. R. Craig.

Read first and second time, and passed on file.

By Committee on Suppression of Intemperance: S. F. No. 270, A bill for an act to suppress intemperance by providing a police regulation respecting the sale of intoxicating liquor, pursuant to the vote of the people, with the report of a minority of the committee recommending its passage, and the report of a majority of the committee that it do not pass.

Read first and second time, and passed on file.

REPORTS OF COMMITTEES.

Senator Murphy, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, having had under consideration a bill for an act to suppress intemperance by providing a police regulation respecting the sale of intoxicating liquor, pursuant to a vote of the people, beg leave to report that they have had the same under consideration, and a minority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

MURPHY.

Ordered passed on file.

Senator Jessup, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on Suppression of Intemperance, who have had under consideration a bill for an act for the suppression of intemperance, by providing a police regulation respecting the sale of intoxicating liquors pursuant to a vote of the people, beg leave to report that they have had the same under consideration, and a majority of them have instructed me to report the same to the Senate with the recommendation that it do not pass.

E. JESSUP, *Chairman*.

Ordered passed on file.

On motion of Senator Merrell of Clinton, H. F. No. 209, A bill for an act to amend section 93 of the Code of 1873, with the report of the committee recommending its passage, was taken up and considered.

Pending the discussion of which, a committee from the House was announced.

The committee appeared before the bar of the Senate and presented the following resolutions:

Resolved by the House of Representatives, the Senate concurring, That the joint resolution by which this General Assembly agreed to adjourn on the 16th day of March, 1876, be and the same is hereby rescinded.

Resolved, That the President of the Senate and Speaker of the House are hereby instructed to declare their respective houses adjourned without date at 12 o'clock, noon, March 23, 1876.

Senator Larrabee moved that the resolutions be laid upon the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bestow, Campbell, Carr, Conaway, Cooley, Dows, Dwelle, Gilmore, Graham, Harmon, Hersey, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Newton, Perkins, Rothert, Rumpel, Stoneman, Wilson, Wonn, Wood, and Wright—31.

The nays were:

Senators Bailey, Clark, Dashiell, Hartshorn, Hebard, Lovell, Miller of Black Hawk, Mitchell, Nichols, Teale, Thornburg, Willett, Williams, Woolson, and Young—15.

Absent or not voting:

Senators Gallup, Hitchcock, and Pease—3.

So the resolution was laid upon the table.

Senator Larrabee moved that a committee of three be appointed to notify the House of the action of the Senate upon the resolution.

The motion prevailed.

The President appointed Senators Larrabee, Jessup and Clark such committee.

The Senate resumed the consideration of H. F. No. 209.

Senator Young moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, McCoid, Maginnis, Miller of Black Hawk, Mitchell, Newton, Nichols, Rumble, Teale Thornburg, Willett, Williams, Wood, Woolson, and Young—28.

The nays were:

Senators Carr, Dows, Harmon, Kinne, Larrabee, Lovell, McCormack, Merrill of Wapello, Perkins, Rothert, Stoneman, Wonn, and Wright—13.

Absent or not voting:

Senators Gallup, Hersey, Hitchcock, Merrell of Clinton, Miller of Appanoose, Murphy, Pease, and Wilson—8.

So the bill was laid on the table.

UNFINISHED BUSINESS.

Being the consideration of substitute for S. F. Nos. 195 and 210, A bill for an act to provide for the appointment and election of a railway commissioner, defining his duties, establishing a board of railway commissioners, and defining their duties; to prevent extortion and unjust discrimination by railway corporations, and to amend chapter 68 of the public laws of the Fifteenth General Assembly entitled "An act to establish reasonable maximum rates for the transportation of freight and passengers on the different railways of this State."

The question being on the adoption of an amendment offered by Senator Nichols, Senator Larrabee moved that further consideration of the bill be postponed.

The motion prevailed.

BILLS ON SECOND READING.

On motion of Senator Miller, of Black Hawk, H. F. No. 128, A bill for an act to amend certain sections of the Code, with the report of the committee recommending amendments to the title, and when so amended it do pass, was taken up and considered.

The amendments were adopted.

Senator Miller, of Black Hawk, moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey,

Jessup, Kinne, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Thoraburg, Willett, Wilson, Wood, Woolson, Wright, and Young—37.

The nays were:

Senator Lovell—1.

Absent or not voting:

Senators Carr, Cooley, Dows, Gallup, Hitchcock, McCormack, Pease, Stoneman, Teale, Williams, and Wonn—11.

So the bill passed and the title was agreed to.

On motion of Senator Campbell, the resolution relative to the appointment of a Sifting Committee, was taken up and adopted.

The President appointed as such Committee:

Senators Larrabee, Willett, Cooley, Rothert, Campbell, Williams, Arnold, Hebard, Jessup, Hartshorn, and Merrill of Wapello.

On motion of Senator Rothert, H. F. No. 443, A bill for an act to amend chapter 107 of the Private, Local and Temporary Acts of the Fourteenth General Assembly, with the report of the committee recommending amendments, and when so amended, it do pass, was taken up and considered.

The Senate refused to adopt the amendments reported by the committee.

Senator Rothert moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—40.

The nays were:

Senators Bailey, Larrabee, and Teale—3.

Absent or not voting:

Senators Carr, Gallup, Hitchcock, Nichols, Pease, and Woolson—6.

So the bill passed and the title was agreed to.

On motion of Senator Rumble, the Senate, at 12 m., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment and was called to order by the President.

Senator Larrabee reported that the Sifting Committee had assorted the bills on the files in four classes, viz: A. B. C. and D., and recommended that class A. be taken up first, and the bills considered in the order which they come on the files.

The report was adopted.

H. F. No. 134, A bill for an act in relation to the construction of cattleways across the public highway, with the report of the committee recommending its passage, was taken up and considered.

Senator Williams moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Conaway, Cooley, Dwelle, Gilmore, Hebard, Hersey, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Newton, Nichols, Rotherth, Rumple, Thornburg, Willett, Williams, and Wonn—23.

The nays were:

Senators Arnold, Campbell, Clark, Dashiell, Graham, Harmon, Hartshorn, Merrell of Clinton, Miller of Black Hawk, Mitchell, Perkins, Stoneman, Teale, Wood, and Wright—15.

Absent or not voting:

Senators Carr, Dows, Gallup, Hitchcock, Lovell, Miller of Appanoose, Murphy, Pease, Wilson, Woolson and Young—11.

So the bill having failed to receive a constitutional majority failed to pass the Senate.

H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to John A. Perkins, with the report of the committee recommending its passage, was taken up and considered.

Senator Merrell of Clinton, moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rotherth, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Wright—45.

The nays were none.

Absent or not voting:

Senators Gallup, Hitchcock, Wonn, and Young—4.

So the bill passed, and the title was agreed to.

H. F. No. 243, A bill for an act to authorize the Auditor of State to cause to be paid back to the counties entitled thereto, any excess of revenue due to said counties, excepting State taxes, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The senate refused to adopt the amendments recommended by the committee.

Senator Larrabee moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumples, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—42.

The nays were none.

Senator Hebard—1.

Absent or not voting:

Senators Clark, Dows, Gallup, Hitchcock, Murphy, and Young—6.

So the bill passed and the title was agreed to.

H. L. No. 133, A bill for an act empowering township clerks to administer oaths, with the report of the committee recommending its passage was taken up and considered.

Senator Merrill of Clinton, moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumples, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Wright—41.

The nays were none.

Absent or not voting:

Senators Clark, Dows, Gallup, Hitchcock, Miller of Black Hawk, Murphy, Woolson, and Young—8.

So the bill passed and the title was agreed to.

Senator Graham moved to reconsider the vote by which H. F. No. 134, A bill for an act in relation to the construction of cattle ways across the public highways was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Mitchell, Murphy, Newton, Nichols, Pease, Rumples, Stoneman, Thorn-

burg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—36.

The nays were:

Senators Conaway, Dashiell, Dwelle, Merrell of Clinton, Miller of Appanoose, Miller of Black Hawk, Perkins, Rothert, and Teale—9.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, and Woolson—4.

So the bill passed and the title was agreed to.

S. F. No. 251, A bill for an act to amend sections 303, and 305, of of the Code of 1873, title 4, chapter 2, with the report of the committee recommending its passage, was taken up and considered.

Senator Williams moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Maginnis, Nichols, Perkins, Rothert, Stoneman, Teale, Thornburg, Williams, and Wright—22.

The nays were:

Senators Bestow, Campbell, Carr, Cooley, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rumple, Willett, Wilson, Wonn, Wood, and Young—22.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, Merrell of Clinton, and Woolson.—5.

So the bill having failed to receive Constitutional majority was lost.

S. F. No. 246, A bill for an act concerning delinquent taxes, with the report of the committee recommending its passage, was taken up and considered.

Senator Mitchell moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Rothert, Rumple, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—39.

The nays were:

Senators Cooley, and Perkins—2.

Absent or not voting:

Senators Conaway, Dows, Gallup, Hitchcock, McCoid, Merrell of Clinton, Murphy, and Willett—8.

So the bill passed and the title was agreed to.

H. F. No. 103, A bill for an act to amend sections 240 and 241, chapter 10, title 3, of the Code, in relation to jurors, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The amendments recommended by the committee were adopted.

Senator Cooley moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—42.

The nays were none.

Absent or not voting:

Senators Gallup, Hitchcock, McCoid, Merrell of Clinton, Nichols, Rothert, and Young—7.

So the bill passed, and the title was agreed to.

By leave, Senator Campbell from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred substitute for H. F. No. 395, A bill for an act to authorize the relocation of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman*.

Ordered passed on file.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator ——— moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—45.

The nays were none.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, and McCoid—4.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

H. F. No. 493, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

Also, that the House has concurred in Senate amendments to H. F. No. 213, A bill for an act relating to cities organized under special charters, conferring additional powers, and amending the charters of such cities.

I am also directed to inform your honorable body that the House has refused to recede from its amendment to S. F. No. 247, and has appointed Messrs. Giltner, Horton, and Reed of Howard, a conference committee on said disagreeing vote, and requests the appointment of a like committee on the part of the Senate.

I also herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 142, An act repealing chapter 8 of title 14 of the Code, and providing for mechanic's liens.

Substitute for S. F. Nos. 34, 53 $\frac{1}{2}$, and 95, A bill for an act relating to the lands heretofore granted to the McGregor & Missouri River Railroad Company, etc.

JAS. W. LOGAN, *Chief Clerk.*

S. F. No. 269, A bill for an act for the relief of Wm. R. Craig, was taken up and passed on file.

REPORTS OF COMMITTEES.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 235, A bill for an act to regulate judicial sales and conveyances under university fund, mortgage foreclosures and judgments and the sale of property acquired, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendment be adopted by adding to the end of section 3 the words "and in accordance with section 1599 of the Code," and that so amended the bill do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Woolson, from the Special Committee on Substitute for H. F. No. 240, submitted the following report:

MR. PRESIDENT:—Your Special Committee to whom was referred substitute for H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble minded children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

S. F. No. 262, A bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa, with the report of the committee recommending its passage, was taken up and considered.

Senator Wright moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Clark, Gallup, Hitchcock, Miller of Appanoose, Newton, and Wonn—6.

So the bill passed and the title was agreed to.

The President appointed as the Committee on Conference on the disagreeing vote of the two Houses, on S. F. No. 247:

Senators Campbell, Miller of Appanoose, and Carr.

H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—41.

The nays were none.

Absent or not voting:

Senators Clark, Dows, Gallup, Hitchcock, Jessup, Miller of Appanoose, Newton, and Teale—8.

So the bill passed and the title was agreed to.

S. F. No. 187, A bill for an act to amend section 986, title 7, chapter 2 of the Code of 1873, with the report of the committee recommending its passage, was taken up and considered.

Senator Dashiell moved to strike out the publication clause.

The motion was lost.

Senator Pease moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Campbell, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright and Young—39.

The nays were:

Senators Bailey, Carr, McCormack, and Teale—4.

Absent or not voting:

Senators Gallup, Hersey, Hitchcock, Miller of Appanoose, Newton, and Woolson—6

So the bill passed and the title was agreed to.

Concurrent resolution in reference to certain lands granted to the Sioux City and St. Paul Railroad, with the report of the committee recommending its passage, was taken up and considered and adopted.

Substitute for H. F. No. 395, A bill for an act to authorize the relocation of railroads, with the report of the committee recommending its passage, was taken up and considered.

Senator Cooley moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Cooley, Gilmore, Graham, Hebard, Kinne, Lovell, McCormack, Merrill of Wapello, Mitchell, Murphy, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Willett, Williams, Wilson, Wonn, and Wright—26.

The nays were:

Senators Campbell, Conaway, Dashiell, Dwelle, Hartshorn, Hersey, Jessup, Maginnis, Merrell of Clinton, Miller of Black Hawk, Thornburg, Wood, and Woolson—13.

Absent or not voting:

Senators Dows, Gallup, Harmon, Hitchcock, Larrabee, McCoid, Miller of Appanoose, Newton, Stoneman, and Young—10.

So the bill passed and the title was agreed to.

S. F. No. 235, A bill for an act to regulate judicial sales and conveyances under University fund mortgages, foreclosures and judgments, and the sale of property acquired, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The amendments recommended by the committee were adopted.

Senator Woolson moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dwelle, Gilmore, Graham, Hebard, Hersey, Kinne, McCoid, McCormack, Merrell of Clinton, Mitchell, Murphy, Nichols, Pease, Rothert, Rumble, Stoneman, Thornburg, Willett, Wood, Woolson, Wright, and Young—29.

The nays were:

Senators Clark, Dashiell, Hartshorn, Larrabee, Lovell, Maginnis, Miller of Appanoose, Miller of Black Hawk, Perkins, Teale, Wilson, and Wonn—12.

Absent or not voting:

Senators Dows, Gallup, Harmon, Hitchcock, Jessup, Merrill of Wapello, Newton, and Williams—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 22, A bill for an act to amend section 500 of chapter 10, title 4 of the Code.

I am also directed to inform your honorable body that the House of Representatives has concurred in Senate amendments to substitute for H. F. No. 337 and S. F. No. 230, A bill for an act providing for the publication of propositions to amend the Constitution, and for other purposes connected therewith.

Also, that the House has adopted the Senate concurrent resolution in relation to joint convention for the election of certain officers on Wednesday, March 15th, at seven o'clock, P. M.

J. W. LOGAN, *Chief Clerk.*

Substitute for H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble-minded children, with the report of the committee recommending its passage, was taken up and considered.

Senator Woolson moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Clark, Conaway, Cooley, Harmon, Hartshorn, Hebard, Hershey, Jessup, Lovell, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Rothert, Stoneman, Thornburg, Wood, Woolson, Wright, and Young—21.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Dashiell, Dwelle, Gilmore, Graham, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Pease, Perkins, Rumple, Teale, Willett, Williams, Wilson, and Wonn—22.

Absent or not voting:

Senators Carr, Dows, Gallup, Hitchcock, Larrabee, and Newton—6.

So the bill, having failed to receive a constitutional majority, was lost.

REPORTS OF COMMITTEES.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined

S. F. No. 188, An act to appropriate money for painting the portrait of Hon. Ansel Briggs, first governor of Iowa,

S. F. No. 29, An act to amend section 1507, chapter 5, title 11 of the Code,

S. F. No. 263, An act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly,

S. F. No. 20, An act to enlarge the powers of the trustees of the Soldiers' Orphans' Home, and provide for other indigent children of the State, and make provision for industrial pursuits.

S. F. No. 249, An act to legalize the incorporation of the town of Carlisle, and its ordinances and the acts of its officers thereunder.

S. F. No. 22, An act to amend section 500, of chapter 10, title 4 of the Code.

And find the same correctly enrolled.

MR. PRESIDENT:—Your Committee on Enrolled Bills, also respectfully report that they have this day presented to the Governor for his approval

S. F. No. 142, An act repealing chapter 89, title 14 of the Code, and providing for mechanic's liens,

S. F. Nos. 34, 53½, and 95, An act relating to the lands heretofore granted to the McGregor and Missouri River Railroad.

H. C. CARR, *Chairman*.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 392, A bill for an act to abolish circuit courts and establish county courts and to define the powers and jurisdiction of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. R. WILLETT, *Chairman*.

Ordered passed on file.

On motion of Senator Bestow, the bill was taken up and considered.

Senator Bestow, moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Newton, Nichols, Perkins, Rothert, Rumble, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Clark, Dows, Gallup, Gilmore, Hitchcock, Jessup, Larrabee, Miller of Black Hawk, Mitchell, Murphy and Pease—11.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 493, A bill for an act to amend chapter 69 of the Public Acts of the Fifteenth General Assembly in relation to game.

Read first and second time.

Senator Hartshorn moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Hersey, Jessup, Kinne, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Bestow, Clark, Dows, Gallup, Harmon, Hitchcock, Larrabee, Lovell, McCormack, Mitchell, and Williams—11.

So the bill passed and the title was agreed to.

H. F. No. 15, A bill for an act to amend section 1725 of chapter 9 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Miller, of Black Hawk, moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hersey, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Mitchell, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were:

Senator Newton—1.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, Jessup, Miller of Appanoose, and Murphy—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 37, A bill for an act to prohibit the sale of intoxicating liquors in certain cases.

H. F. No. 119, A bill for an act relating to Insurance Companies

organized under the provisions of chapter 4, section 1160 of the Code.

Also, that the House has concurred in the Senate amendments to H. F. No. 127.

I also herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 29, A bill for an act to amend section 1507, chapter 5, title 11 of the Code.

S. F. No. 188, A bill for an act appropriating money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa.

S. F. No. 263, A bill for an act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly.

S. F. No. 249, A bill for an act legalizing the incorporation of the town of Carlisle.

S. F. No. 22, A bill for an act to amend section 500 of the Code.

S. F. No. 20, A bill for an act to enlarge the powers of the trustees of the Soldiers' Orphans' Homes, etc.

JAS. W. LOGAN, *Chief Clerk.*

On motion of Senator Hebard, S. F. No. 269, A bill for an act for the relief of Wm. R. Craig, was taken up and considered.

Senator Clark moved to amend by striking out \$15,000, and inserting \$21,235.

The amendment was lost.

Senator Nichols offered a substitute for the bill.

The substitute was lost.

On the question shall the bill be engrossed, and read a third time tomorrow, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stonemar, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Young—34.

The nays were:

Senators Conaway, Dashiell, Graham, Kinne, McCoid, Merrell of Clinton, Miller of Appanoose, Teale, and Willett—9.

Absent or not voting:

Senators Dows, Gallup, Hitchcock, Jessup, Miller of Black Hawk, and Wright—6.

So the bill was ordered engrossed.

Senator Mitchell moved to adjourn.

The motion prevailed, and at 6:15 P. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 15, 1876. }

Senate met pursuant to adjournment and was called to order by the President.

On motion of Senator Rothert, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 271, A bill for an act making further appropriation for the Iowa Reform School.

H. F. No. 495, A bill for an act to make an appropriation for the Iowa Reform School.

H. F. No. 494, A bill for an act to amend an act entitled an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts.

H. F. No. 496, A bill for an act to define swindling and to punish the same.

Also, that the House has passed the following bill, without amendment.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code, relating to the number of members of mutual associations.

Also, that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved by the House, the Senate concurring, that a committee of two on the part of the Senate, and three on the part of the House, be appointed to investigate the matter of the disappearance of the enrolled bill of the monte act.

Messrs. Hunt, Hemingway, and Morse of Wright, were appointed a committee on the part of the House.

JAS. W. LOGAN, *Chief Clerk.*

Senator Hersey was excused.

Senator Rothert moved to reconsider the vote by which H. F. No. 26, A bill for an act relating to the law of negligence, was lost on yesterday.

The motion prevailed.

On motion of Senator Rothert, the bill was made a special order for 2:15 this afternoon.

INTRODUCTION OF BILLS.

By the Committee on Ways and Means: S. F. No. 271, A bill for an act to restrict assessments in incorporated towns and cities.

Read first and second time, and passed on file.

HOUSE MESSAGES.

H. F. No. 37, A bill for an act to prohibit the sale of intoxicating liquors in certain cases.

Read first and second time.

Senator Jessup, moved that the eleventh rule be suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold; Bailey, Campbell, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hebard, Jessup, Larrabee, Miller of Black Hawk, Newton, Thornburg, Wood, and Woolson—17.

The nays were:

Senators Bestow, Carr, Clark, Cooley, Kinne, Lovell, McCoid, McCormack, Merrill of Wapello, Murphy, Nichols, Perkins, Rothert, Rump, Stoneman, Teale, Willett, Williams, Wilson, Wonn, Wright, and Young—22.

Absent or not voting:

Senators Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Merrell of Clinton, Miller of Appanoose, Mitchell, Pease, and Maginnis—10.

So the bill having failed to receive a Constitutional majority, was lost.

H. F. No. 119, A bill for an act relating to insurance companies organized under the provisions of chapter 4, section 1160 of the Code.

Read first and second time, and referred to the Committee on Insurance.

H. F. No. 496, A bill for an act to define the crime of swindling, and to punish the same.

Read first and second time.

Senator Rumble moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrell of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Murphy, and Woolson—7.

So the bill passed and the title was agreed to.

The Senate concurred in the House resolution relative to disappearance of the enrolled bill of the monte act, and the President appointed Senators Rumble and Stoneman such committee upon the part of the Senate.

H. F. No. 495, A bill for an act to make an appropriation to liquidate an indebtedness of the Iowa Reform School.

Read first and second time

Senator Jessup moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rother, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none:

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hersey, Hitchcock, and Merrell of Clinton—6.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

Read first and second time.

Senator Jessup, moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rother, Rumble, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Cooley, Dows, Gallup, Harmon, Hersey, Hitchcock, Lovell, McCormack, and Merrell of Clinton—11.

So the bill passed and the title was agreed to.

Substitute for H. F. Nos. 176 and 354, A bill for an act to provide for condemning, surveying, and platting cemeteries, and authorizing all transfers of lots therein to be filed with and recorded by the township clerk.

Read first and second time.

Senator Rumble moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hebard, Jessup, Kinne, Larrabee,

Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumpel, Stoneman, Teale, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—38.

The nays were none.

Absent or not voting:

Senators Bestow, Cooley, Gallup, Harmon, Hersey, Hitchcock, McCoid, Merrell of Clinton, Thornburg, Wonn, and Hartshorn—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 497, A bill for an act to repeal section 1158 of the Code.

Also, that the House has passed the following bills without amendment:

S. F. No. 268, An act to legalize the conveyance of a certain tract of land for cemetery purposes, in Denison township, Crawford county, Iowa.

Substitute for S. F. Nos. 176 and 354, An act to provide for condemning, surveying, and platting cemeteries, etc.

JAS. W. LOGAN, *Chief Clerk*.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code, and to enact a substitute in lieu thereof.

Read first and second time.

Senator Willett moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Stoneman, Teale, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—42.

The nays were none.

Absent or not voting:

Senators Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Nichols, and Willett—7.

So the bill passed and the title was agreed to.

Senator Bestow moved to reconsider the vote by which substitute for H. F. No. 37 was lost this morning.

The motion prevailed.

On motion of Senator Bestow, the bill was made special order for 3 o'clock P. M.

H. F. No. 494, A bill for an act to amend an act entitled "an act

authorizing the Auditor of State to settle and adjust revenue, insane, law, and other accounts," approved March 3, 1876.

Read first and second time.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Arnold, Dashiell, Gallup, Hersey, Hitchcock, and Merrell of Clinton—6.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of substitute for H. F. No. 35, a bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor; and to restore capital punishment.

Senator Hartshorn moved that the bill be indefinitely postponed.

The motion prevailed.

INTRODUCTION OF BILLS.

By Committee on Appropriations: S. F. No. 272, A bill for an act to require officers of public institutions to furnish plans, specifications and estimates, when asking for appropriations, and requiring them to take duplicate receipts, with itemized statement, when disbursing funds.

Senator Arnold moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Rothert, Rumple, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—43.

The nays were none.

Absent or not voting:

Senators Gallup, Hersey, Hitchcock, Jessup, Merrell of Clinton, and Perkins—6.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Carr, from the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined:

H. F. No. 15, An act to amend section 1726 of chapter 9, title 12 of the Code, relating to the formation of sub-districts.

H. F. No. 127, An act to empower cities to levy a special tax for sewerage purposes.

H. F. No. 133, An act empowering township clerks to administer oaths.

H. F. No. 134, An act in relation to the construction of cattle ways across public highways.

H. F. No. 213, An act relating to cities organized and existing under special charter, conferring additional powers and amending the charters of such cities.

H. F. No. 243, An act to authorize the Auditor of State to cause to be paid back to counties entitled thereto, any excess on moneys paid into the State treasury.

H. F. No. 337, An act providing for the publication of propositions to amend the Constitution, and for other purposes connected therewith.

H. F. No. 351, An act to legalize the sale of a certain eighty-acre tract of school land in Harrison county, sold to John A. Parlin.

H. F. No. 395, An act to authorize the re-location of railroads.

H. F. No. 443, An act to amend chapter 107 of the private, local and temporary acts of the Fourteenth General Assembly.

H. F. No. 478, An act to amend clause 4, section 1606, chapter 3 of the Code.

H. F. No. 482, An act to release Page county from the payment of certain taxes claimed by the State of Iowa.

H. F. No. 498, An act to amend section 1821, title 12, chapter 9 of the Code.

H. F. No. 493, An act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

And find the same correctly enrolled.

MR. PRESIDENT:—Your Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval

S. F. No. 188, An act to appropriate money for painting the portrait of Hon. Ansel Briggs, first Governor of the State of Iowa.

S. F. No. 29, An act to amend section 1507, chapter 5, title 11 of the Code.

S. F. No. 22, An act to amend section 500, chapter 10, title 4 of the Code.

S. F. No. 20, An act to enlarge the powers of the trustees of the Soldiers' Orphans' Home, and provide for other indigent children of the State, and make provision for industrial pursuits therein.

S. F. No. 249, An act to legalize the incorporation of the town of Carlisle, and its ordinances, and the acts of its officers thereunder.

S. F. No. 263, An act to amend section 4, chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly.

H. C. CARR, *Chairman*.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred a petition of the Miners' Association of Dubuque city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that they are not prepared to recommend a bill for this purpose at present.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 176, A bill for an act to amend section 853 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 164, A bill for an act to provide for the taxation of telegraph lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 166, A bill for an act to repeal chapter 28 of the laws of the Fifteenth General Assembly, and to amend section 796 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 96, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 305, A bill for an act amendatory of and in addition to section 814 of the Code, title 6, chapter 1, "of the assessment of taxes," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, and 178; also, substitute for section 813, of the Code, A bill for an act to amend title 6, of the Code, in relation to revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 180, A bill for an act to borrow from the permanent endowment fund of the State Agricultural College to meet a casual deficit in the revenue, and to meet expenses not otherwise provided for, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 192, A bill for an act to amend chapter 2, of title 23, of the Code of Iowa, in relation to increasing the number of days that the members of the board of supervisors shall receive compensation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Bailey, from the Committee on Representative Districts, submitted the following report:

MR. PRESIDENT:—Your Committee on Representative Districts, to whom was referred H. F. No. 459, A bill for an act apportioning the State into Representative districts, and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. BAILEY, *Chairman*.

Ordered passed on file.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 222, A bill for an act to amend section 629 of the Code, beg leave to report that they have had the same under consideration, and a majority of the committee have in-

structed me to report the same back to the Senate without recommendation.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Municipal Corporations, to whom was referred H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize the levy of taxes within the corporate limits of the city of Fort Dodge, in the township, county and state aforesaid, for the year A. D., 1870, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. MCCOID, *Chairman.*

Ordered passed on file.

Senator Hebard, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 2. A bill for an act to amend chapter 9 of the public laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. HEBARD, *for the Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 301, A bill for an act repealing section 286 of the Code of 1873, relating to the elections for the relocation of county seats, and enacting the following in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute be adopted, and when so adopted that it do pass.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

Senator Arnold, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred H. F. No. 226, A bill for an act to repeal section 4783, of the Code and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. ARNOLD, *Chairman.*

Ordered passed on file.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their officers, agents, and employees, was taken up and considered.

Senator Campbell moved to amend section 1, by inserting after the word "sureties," the words, "Auditor of State."

The motion prevailed.

Senator Campbell moved to amend section 1, by inserting after the words, "liquidated damages," the words, "to be fixed by the executive council," and to strike out of 6th and 7th lines the words, "with the Auditor of State, to be approved by him."

The amendment was adopted.

On motion of Senator Campbell, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Thornburg, Willet, Williams, Wilson, Wonn, Wood, and Young—40.

The nays were:

Senators Merrill of Wapello, and Woolson—2.

Absent or not voting:

Senators Dows, Gallup, Hersey, Hitchcock, Larrabee, Merrell of Clinton, and Wright—7.

So the bill passed and the title was agreed to.

Senator Rumple moved to reconsider the vote by which substitute for H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood, in Mills county, for feeble minded children, was lost on yesterday.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bestow, Carr, Clark, Dows, Harmon, Hartshorn, Hebard, Jessup, Kinne, Lovell, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Rothert, Rumple, Stoneman, Williams, Wood, Woolson, Wright, and Young—24.

The nays were:

Senators Bailey, Campbell, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, McCoid, McCormack, Maginnis, Newton, Pease, Teale, Thornburg, Willett, Wilson, and Wonn—18.

Absent or not voting:

Senators Arnold, Gallup, Hersey, Hitchcock, Larrabee, Merrell of Clinton, and Perkins—7.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bestow, Carr, Clark, Conaway, Dows, Harmon, Hartshorn, Hebard, Jessup, Kinne, Lovell, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Nichols, Rothert, Rumple, Stoneman, Thornburg, Williams, Wood, Woolson, Wright, and Young—26.

The nays were:

Senators Bailey, Campbell, Cooley, Dashiell, Dwelle, Gilmore, Graham, McCoid, McCormack, Maginnis, Newton, Pease, Perkins, Teale, Willett, Wilson, and Wonn—17.

Absent or not voting:

Senators Arnold, Gallup, Hersey, Hitchcock, Larrabee, and Merrell of Clinton—8.

So the bill passed and the title was agreed to.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors by the township clerk, with the report of the committee recommending its passage, was taken up and considered.

Senator Miller, of Black Hawk, moved that the eleventh rule be suspended and the bill read a third time now.

The motion was lost.

On the question shall the bill be engrossed, the Senate refused to order it engrossed.

BILLS ON THIRD READING.

S. F. No. 289, A bill for an act for the relief of W. R. Craig.

Senator Hebard moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

Senator Bestow moved that the bill pass on file.

The motion prevailed.

BILLS ON SECOND READING RESUMED.

Substitute for S. F. Nos. 195 and 210, A bill for an act to provide for the appointment and election of a railway commissioner, defining his duties, establishing a board of railroad commissioners, and defining their duties, to prevent extortion and unjust discrimination by railway corporations, and to amend chapter 68 of the public laws of the Fifteenth General Assembly, entitled, "An act to establish reasonable maximum rates for the transportation of freight and passengers on the different railways of this State."

Senator Cooley moved that the whole matter be laid upon the table.

The motion prevailed.

S. F. No. 226, A bill for an act to amend section 3072, chapter 2, title 18, of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Stoneman, Willett, Williams, Wilson, Wood, Woolson, and Young—35.

The nays were:

Senators Dwelle, Maginnis, Perkins, Thornburg, and Wonn—5.

Absent or not voting:

Senators Dows, Gallup, Hersey, Hitchcock, Merrell of Clinton, Merrill of Wapello, Nichols, Teale, and Wright—9.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

To the Honorable Senate and House of Representatives of the Sixteenth General Assembly:

The undersigned, committee of conference, to whom was referred H. F. No. 115, beg leave to report that they have had the same under consideration, and have failed to agree as to a recommendation on said bill.

H. W. ROTHERT,
JOSHUA MILLER,
On the part of the Senate.
THOS. W. JOHNSTON,
W. C. HOBBS,
L. W. STUART,
On the part of the House.

Senator Teale was excused.

S. F. No. 260, A bill for an act to amend section 1769, chapter 9, title 12 of the Code, relating to normal schools.

Senator Bailey moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Miller of Appanoose, Miller of Black Hawk, Mitchell, Pease, Rothert, Rumble, Thornburg, Willett, Woolson, and Young
--26.

The nays were:

Senators Cooley, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Murphy, Newton, Perkins, Stoneman, Wonn, and Wood—12.

Absent or not voting:

Senators Dows, Gallup, Hersey, Hitchcock, McCormack, Merrell of Clinton, Nichols, Teale, Williams, Wilson, and Wright—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills with amendments:

Substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College as follows:

1st. By striking out "\$1,000" in the eighth line of section 1, and inserting "\$500."

2d. In the tenth line strike out "\$1,600" and insert "\$400."

3d. In the eleventh line strike out "\$800" and insert "\$500," and in the thirteenth line strike out "\$26,820," and insert "24,820," and that when so amended that it do pass.

J. W. LOGAN, *Chief Clerk.*

BILLS ON SECOND READING RESUMED.

S. F. No. 258, A bill for an act to create a State board of examination.

Senator Miller of Black Hawk, moved that the eleventh rule be suspended and the bill read a third time now.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Harmon, Hartshorn, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Rothert, and Woolson—17.

The nays were:

Senators Campbell, Gilmore, Graham, Hebard, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Murphy, Newton, Pease, Perkins, Stoneman, Teale, Thornburg, Willett, Wonn, Wood, and Young—22.

Absent or not voting:

Senators Arnold, Dows, Gallup, Hersey, Hitchcock, Merrell of Clinton, Rumble, Williams, Wilson, and Wright—10.

So the motion was lost.

Senator Miller of Black Hawk, moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Larrabee, McCormack, Maginnis, Merrill of Wapello, Murphy, Perkins, Stoneman, Teale, Thornburg, Willett, Wonn, and Woolson,—12.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Jessup, Kinne, Lovell, McCoid, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Rothert, Wood and Young—28.

Absent or not voting:

Senators Gallup, Hebard, Hersey, Hitchcock, Merrell of Clinton, Rumble, Williams, Wilson, and Wright—9.

So the motion to lay upon the table did not prevail.

On motion of Senator Cooley, the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriations for the College for the Blind.

Also that the House has passed the following bill without amendment:

Substitute for S. F. No. 74, A bill for an act to provide for the establishment of superior courts in cities of a certain grade.

Also that the House has receded from its amendment to S. F. Nos. 67 and 96, A bill for an act to enable townships and incorporated cities to aid in the construction of railroads, and in relation to the exemption of homesteads.

JAS. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES.

Substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriation for the College for the Blind.

Read first and second time.

Senator Larrabee moved that the eleventh rule be suspended, and the bill read a third time now.

Senator Rothert moved to refer the bill to the Committee on Appropriations.

The motion to refer was lost.

The motion to suspend the rules was lost.

Senator McCoid moved to reconsider the vote by which the Senate refused to suspend the eleventh rule.

The motion prevailed.

On motion of Senator Rothert, the Senate at 12 M., adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate met pursuant to adjournment, and was called to order by the President.

The question being on suspending the eleventh rule.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Conaway, Cooley, Dows, Gallup, Hersey, Hitchcock, McCoid, Merrell of Clinton, Pease, and Stoneman—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills; which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 15, An act to amend section 1725 of chapter 9, title 12.

H. F. No. 127, An act to empower cities to levy a special tax for sewerage purposes.

H. F. No. 133, An act empowering township clerks to administer oaths.

H. F. No. 134, An act in relation to the construction of cattle ways across highways.

H. F. No. 213, An act relating to cities organized and existing under special charters.

H. F. No. 243, An act to authorize the Auditor of State to cause to be paid back to counties certain revenue.

H. F. No. 337, An act providing for the publication of propositions to amend the constitution.

H. F. No. 351, An act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to John A. Perkins.

H. F. No. 395, An act to authorize the relocation of railroads.

H. F. No. 443, An act to amend chapter 107, of the private, local and temporary acts of the Fourteenth General Assembly.

H. F. No. 478, An act to amend clause 4, section 1606, chapter 3, of the Code.

H. F. No. 482 An act to release Page county from payment of certain taxes claimed by the State of Iowa.

H. F. No. 489, An act to amend section 1821, title 12, chapter 9 of the Code.

H. F. No. 493, An act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

I am also directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 117, A bill for an act making an appropriation for the Iowa hospital of the insane at Independence, Iowa.

Also, that the House has passed without amendment, S. F. No. 242, A bill for an act to make an appropriation for the Iowa Soldiers' Orphans' Home, etc., at Davenport, Iowa.

S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked.

H. F. No. 431, A bill for an act to legalize the Farmer's Mutual Fire Insurance Company of Mitchell county, Iowa.

J. W. LOGAN, *Chief Clerk.*

Senators Cooley and Stoneman were excused.

REPORT OF COMMITTEE OF CONFERENCE.

Your committee of conference on the disagreement between the two houses on S. F. No. 247, beg leave to report that they have met, and after a full and frank conference, beg leave to report the following:

That the Senate recede from its disagreement to House amendment to said bill.

F. T. CAMPBELL,
H. C. CARR,
JOHN D. MILLER,

Managers on part of Senate.

H. T. REED,
A. M. GILTNER,
CHAS. C. HORTON,

Managers on part of House.

On the adoption of the report of the committee, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dwelle, Gilmore, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wood, Wright, and Young—35.

The nays were none.

Absent or not voting:

Senators Carr, Cooley, Dows, Gallup, Graham, Hersey, Hitchcock, McCoid, Merrell of Clinton, Pease, Rothert, Stoneman, Wonn, and Woolson—14.

So the report of the committee was adopted.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

H. F. No. 128, A bill for an act to amend sections 1745 and 1751, chapter 9, title 12 of the Code, relative to reports of treasurers of school districts.

H. C. CARR, *Chairman.*

BILLS ON THIRD READING.

Substitute for S. F. No. 97, A bill for an act making appropriations for the Iowa State Agricultural College.

On the question, shall the Senate concur in the House amendments to the bill, the yeas were:

Senators Arnold, Bestow, Campbell, Conaway, Dashiell, Dows,

Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Wright, and Young—37.

The nays were:

Senator Bailey—1.

Absent or not voting:

Senators Carr, Clark, Cooley, Gallup, Hersey, Hitchcock, McCoid, Merrell of Clinton, Pease, Stoneman, and Woolson—11.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

H. F. No. 128, An act to amend sections 1745 and 1751, chapter 9, title 12 of the Code.

J. W. LOGAN, *Chief Clerk.*

SPECIAL ORDER.

Being the consideration of the vote by which H. F. No. 26, A bill for an act relating to the law of evidence, failed to pass the Senate.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Maginnis, Miller of Appanoose, Newton, Nichols, Pease, Rothert, Rumble, Thornburg, Willett, Wood, and Woolson—21.

The nays were:

Senators Carr, Clark, Dows, Harmon, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Perkins, Teale, Wilson, Wonn, Wright, and Young—19.

Absent or not voting:

Senators Conaway, Cooley, Gallup, Hersey, Hitchcock, Jessup, Merrell of Clinton, Stoneman, and Williams—9.

So the motion to reconsider prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Maginnis, Miller of Appanoose, Newton, Nichols, Pease, Rothert, Rumble, Thornburg, Willett, Wood, and Woolson—20.

The nays were:

Senators Arnold, Carr, Dows, Harmon, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Perkins, Teale, Wilson, Wonn, Wright, and Young—19.

Absent or not voting:

Senators Clark, Conaway, Cooley, Gallup, Hersey, Hitchcock, Jessup, Merrell of Clinton, Stoneman and Williams—10.

So the bill having failed to receive a Constitutional majority was lost.

HOUSE MESSAGES.

H. F. No. 479, A bill for an act making an appropriation for the Iowa Hospital for the insane at Independence.

Read first and second time.

Senator Campbell moved to refer the bill to the Committee on Appropriations.

Passed on file.

H. F. No. 431, A bill for an act to legalize the Farmer's Mutual Fire Insurance Company, of Mitchell county, Iowa.

Read first and second time.

Senator Williams moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—37.

The nays were none.

Absent or not voting:

Senators Clark, Cooley, Gallup, Harmon, Hersey, Hitchcock, Larabee, Merrell of Clinton, Murphy, Nichols, Stoneman, and Teale—12.

So the bill passed, and the title was agreed to.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills to-wit:

H. F. No. 496, A bill for an act to define the crime of swindling and to punish the same.

H. F. No. 128, A bill for an act to amend sections 1745, and 1751, chapter 9, title 12, of the Code, relative to report of treasurers of school districts.

H. F. No. 15, A bill for an act to amend section 1725, of chapter 9, title 12, of the Code, relating to the formation of sub-districts.

H. F. No. 127, A bill for an act to empower cities to levy a special tax for sewerage purposes.

H. F. No. 133, A bill for an act empowering township clerks to administer oaths.

H. F. No. 134, A bill for an act in relation to the construction of cattle ways across highways.

H. F. No. 213, A bill for an act relating to cities organized and existing under special charters, conferring additional powers, and amending the charters of such cities.

H. F. No. 243, A bill for act to authorize the Auditor of State to cause to be paid back to counties entitled thereto, any excess on revenue paid into the State treasury.

H. F. No. 337, A bill for an act providing for the publication of propositions to amend the constitution, and for other purposes connected therewith.

H. F. No. 351, A bill for an act to legalize the sale of a certain eighty acre tract of school land in Harrison county, sold to John A. Perkins.

H. F. No. 489, A bill for an act to amend section 1821, title 12, chapter 9 of the Code.

H. F. No. 493, A bill for an act to amend chapter 69 of the public acts of the Fifteenth General Assembly, in relation to game.

H. F. 395, A bill for an act to authorize the relocation of railroads.

H. F. No. 443, A bill for an act to amend chapter 107 of the private, local, and temporary acts of the Fourteenth General Assembly.

H. F. No. 478, A bill for an act to amend clause 4, section 1606, chapter 3 of the Code.

H. F. No. 482, A bill for an act to release Page county from the payment of certain taxes claimed by the State of Iowa.

H. C. CARR, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill with an amendment, noted in the bill:

S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mt. Pleasant.

J. W. LOGAN, *Chief Clerk.*

BILLS ON THIRD READING.

Substitute for S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

On the question, shall the Senate concur in the House amendments to the bill, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Rothert, Rumpke, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—34.

The nays were none.

Absent or not voting:

Senators Campbell, Cooley, Gallup, Harmon, Hersey, Hitchcock, Lar-

rabee, McCoid, Merrell of Clinton, Murphy, Nichols, Perkins, Stoneman, Teale, and Wonn—15.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 23, A bill for an act to provide for the continuation of the work on the additional penitentiary, and to make an appropriation therefor.

JAS. W. LOGAN, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Committee on Appropriations: S. F. No. 273, A bill for an act making an appropriation for the payment of State and Judicial Officers, and for other purposes hereinafter named, and to amend section 120, of chapter 2 of the Code of Iowa.

Read first and second time.

On motion of Senator Larrabee the bill was considered by sections. Senator McCoid moved to strike out the proviso to section 18.

The motion prevailed.

Senator Maginnis moved to amend section 29 by striking out 87 and inserting 47.

The motion was lost.

Senator Dashiell moved to strike out section 29.

The motion prevailed.

Senator Perkins moved to reconsider the vote by which section 29 was stricken out.

The motion prevailed

On the motion to strike out section 29, the yeas and nays were demanded, and the yeas were:

Senators Bailey, Campbell, Conaway, Dashiell, Gilmore, Graham, Jessup, Kinne, Lovell, McCoid, McCormack, Maginnis, Miller of Appanoose, Newton, Pease, Teale, Willett, Wood, Woolson, and Young—15.

The nays were:

Senators Arnold, Bestow, Carr, Clark, Dows, Dwelle, Harmon, Hartshorn, Hebard, Larrabee, Merrill of Wapello, Miller of Black Hawk, Mitchell, Nichols, Perkins, Rothert, Rumple, Thornburg, Williams, Wilson, Wonn, and Wright—22.

Absent or not voting:

Senators Cooley, Gallup, Hersey, Hitchcock, Merrell of Clinton, Murphy, and Stoneman—7.

So the motion was lost.

Senator McCoid moved to reconsider the vote by which the Senate refused to strike out 87 and insert 47.

The motion prevailed.

The motion to strike out 87 and insert 47 was lost.

On motion of Senator Wonn, the eleventh rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dwelle, Graham, Harmon, Hartshorn, Hebard, Kinne, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—35.

The nays were:

Senators Campbell, Dashiell, Gilmore, McCormack, and Teale—5.

Absent or not voting:

Senators Cooley, Dows, Gallup, Hersey, Hitchcock, Jessup, Maginnis, Merrell of Clinton, and Stoneman—9.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

House substitute for S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the insane at Independence.

On the question, shall the Senate concur in the House substitute for the Senate bill, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, and Woolson—37.

The nays were none.

Absent or not voting:

Senators Arnold, Cooley, Dows, Gallup, Hebard, Hersey, Hitchcock, Merrell of Clinton, Murphy, Stoneman, Wright, and Young—12.

So the Senate concurred in the House substitute to the bill.

SPECIAL ORDER.

Being the reconsideration of the vote by which substitute for H. F. No. 37, A bill for an act to prohibit the sale of intoxicating liquors in certain cases, the Senate refused to order to a third reading.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hebard, Jessup, Lovell, Miller of Appanoose, Miller of Black Hawk, Mitchell, Thornburg, Willett, Wood, and Woolson—20.

The nays were:

Senators Carr, Clark, Kinne, McCormack, Maginnis, Merrill of Wapello, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Wilson, Wright, and Young—17.

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hartshorn, Hersey, Hitchcock,

Larrabee, McCoid, Merrell of Clinton, Stoneman, Williams, and Wonn—12.

So the motion prevailed.

Senator Bestow moved to suspend the eleventh rule, and read the bill a third time now.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Miller of Appanoose, Miller of Black Hawk, Mitchell, Thornburg, Wood, and Woolson—20.

The nays were:

Senators Clark, Kinne, Lovell, McCormack, Maginnis, Merrill of Wapello, Murphy, Newton, Nichols, Perkins, Rothert, Rumple, Willett, Wilson, Wright, and Young—16.

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hersey, Hitchcock, Larrabee, McCoid, Merrell of Clinton, Pease, Stoneman, Teale, Williams, and Wonn—13.

So the Senate refused to suspend the rules.

On the motion to engross the bill for a third reading, it was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, with amendments as noted in the bill:

Substitute for S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison.

Amendments: Strike out items for increase of clerk and chaplain's salary, and "for ventilation of cell rooms and shops, \$1,000." Also, in the title, by striking out other reference to increase of salaries.

JAS. W. LOGAN, *Chief Clerk*.

BILLS ON THIRD READING.

Substitute for S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, to provide for the transportation of discharged convicts, and to provide for increased salaries of certain officers of said penitentiary.

On the question shall the Senate concur in the House amendments, the yeas were:

Senators Arnold, Bailey, Bestow, Carr, Clark, Conaway, Dows, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Kinne, Larrabee, McCoid, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Wilson, Wood, Woolson, and Wright—32.

The nays were:

Senators Campbell, Dashiell, Hebard, Lovell, Merrill of Wapello, Newton, Williams, and Young—8.

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Nichols, Stoneman, and Wonn—9.

So the Senate concurred in the House amendments to the bill.

Senator Campbell, from the Committee on Railways, submitted the following report:

MR. PRESIDENT:—Your Committee on Railways, to whom was referred H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of the construction of railroads, since the first day of January, A. D. 1868, and to cancel unpaid taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with recommendation that it be amended as follows:

Add to the end of section 2, "unless the paying out of said tax to the company entitled thereto, has been enjoined or is in litigation, or unless the company to whom the same was voted, have complied with the law and terms upon which the tax was voted, and are entitled to the same." Insert in 3rd line of section 4, after the word "completed," "or when work is not progressing on the line of said projected railroad within the county," and that so amended it do pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Substitute for H. F. Nos. 65, 66, 67, 69, 20, 120, and 178, and substitute for section 813 of the Code, A bill for an act to amend title 6 of the Code, in relation to revenue, with the report of the committee recommending its indefinite postponement, was taken up and considered.

Senator Willett moved to strike out "proviso" in section 2.

The motion was adopted.

Senator Rothert moved to strike out all after section 2, except the publication clause.

Senator Bailey moved to amend the amendment by excepting section 5.

The amendment to the amendment was lost.

The amendment of Senator Rothert was adopted.

Senator Dashiell moved to strike out the second subdivision of section 1.

The amendments were adopted.

Senator Willett moved to strike out of section 1 the words, "and two."

Senator Woolson moved to amend the amendment by striking out all of section 1 after the enacting clause.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Dwelle, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Perkins, Wood, Woolson, and Young—18.

The nays were:

Senators Clark, Dashiell, Dows, Gilmore, Graham, Hartshorn, Hebard, Jessup, Lovell, Miller of Black Hawk, Mitchell, Nichols, Pease, Rothert, Rumble, Thornburg, Willett, Williams, and Wright—19.

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Murphy, Newton, Stoneman, Teale, Wilson, and Wonn—12.

So the motion to strike out section 1 was lost.

Senator Willett's amendment was adopted.

On adopting the report of the committee, the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Conaway, Dwelle, Gilmore, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Murphy, Newton, Perkins, Teale, Thornburg, Wilson, Wood, Woolson, and Young—22.

The nays were:

Senators Carr, Clark, Dashiell, Graham, Hartshorn, Hebard, Jessup, Lovell, Miller of Black Hawk, Mitchell, Nichols, Pease, Rothert, Rumble, Willett, Williams, and Wright—17.

Absent or not voting:

Senators Cooley, Dows, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Miller of Appanoose, Stoneman, and Wonn—10.

So the bill was indefinitely postponed.

REPORTS OF COMMITTEES.

Senator Rothert, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," approved April 14, 1870, and for making an additional appropriation for the erection of the capitol building, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "three" and inserting the word "two," in the second line of the second section of said bill, and if so amended that it do pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills:

S. F. No. 242, An act to make appropriation for the Iowa Soldiers' Orphans' Home, and Home for indigent children at Davenport, Iowa.

S. F. No. 268, An act to legalize the conveyance of a certain tract of land for cemetery purposes, in Denison township, Crawford county, Iowa.

S. F. No. 75, An act to amend section 1160, chapter 4, title 9 of the Code, relating to the number of members of mutual associations

Substitute for S. F. Nos. 2, 4, and 13, An act to define the crime of swindling, and to punish the same.

S. F. No. 147, An act in relation to hedges on division lines between adjoining land owners.

Substitute for S. F. Nos. 67 and 96, An act to enable townships and incorporated towns and cities to aid in the construction of railroads.

S. F. No. 117, An act making an appropriation for the Iowa Hospital for the Insane at Independence.

And find the same correctly enrolled.

MR. PRESIDENT:—Your Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 242, A bill for an act to make appropriations for the Iowa Soldiers' Orphans' Home and Home for indigent children at Davenport, Iowa.

S. F. No. 268, A bill for an act to legalize the conveyance of a certain tract of land for cemetery purposes in Denison township, Crawford county, Iowa.

S. F. No. 75, A bill for an act to amend section 1160, chapter 4, title 9 of the Code, relating to the number of members of mutual associations.

Substitute for S. F. Nos. 2, 4, and 13, A bill for an act to define the crime of swindling, and to punish the same.

S. F. No. 147, A bill for an act in relation to hedges on division lines between adjoining land owners.

Substitute for S. F. Nos. 67 and 96, A bill for an act to enable townships, incorporated towns, and cities to aid in the construction of railroads.

S. F. No. 117, A bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for S. F. Nos. 2, 4, and 13, An act to define the crime of swindling, and to punish the same.

S. F. No. 268, An act to legalize the conveyance of a certain tract of land for cemetery purposes, in Denison township, Crawford county, Iowa.

S. F. No. 147, An act in relation to hedges on division lines between adjoining land owners.

S. F. No. 75, An act to amend section 1160, chapter 4, title 9, of the Code, in relation to the number of members of mutual associations.

S. F. No. 242, An act to make appropriations for the Iowa Soldiers' Orphans' Homes and Homes for Indigent Children at Davenport, Iowa.

S. F. No. 117, An act making an appropriation for the Iowa Hospital for the Insane at Independence, Iowa.

Substitute for S. F. Nos. 67, and 96, An act to enable townships and incorporated towns, and cities to aid in the construction of railroads.

JAS. W. LOGAN, *Chief Clerk*.

Senator Dows moved that when the Senate adjourn, it adjourn at 5:30 P. M.

The motion prevailed.

Senator Woolson moved that when the Senate adjourn, it be until 7:25 this evening.

The motion prevailed.

H. F. No. 459, A bill for an act apportioning the State into Representative Districts, and declare the ratio of representation, with the report of the committee recommending its passage, was taken up and considered.

Senator Bailey moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Harmon, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Nichols, Perkins, Rumble, Teale, Thornburg, Willett, Wood, Woolson, Wright, and Young—34.

The nays were:

Senators Carr, Pease, Rothert, Williams, and Wilson—5.

Absent or not voting:

Senators Cooley, Dows, Gallup, Hersey, Hitchcock, Merrell of Clinton, Miller of Black Hawk, Murphy, Stoneman, and Wonn—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill:

Substitute for S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University, with an amendment noted in the bill:

J. W. LOGAN, *Chief Clerk.*

S. F. No. 239, A bill for an act to amend "An act entitled an act to provide a State Capitol," approved April 13, 1870, and for making an additional appropriation for the erection of the Capitol building, with the report of the committee recommending amendments, and when so amended it do pass, was taken up and considered.

The amendments were adopted.

On motion of Senator Mitchell, the hour of adjournment was postponed five minutes.

Senator Mitchell moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Rothert, Rumble, Thornburg, Willett, Wilson, Wood, and Young—43.

The nays were:

Senators McCormack, Teale, and Woolson—3.

Absent or not voting:

Senators Cooley, Gallup, Harmon, Hersey, Hitchcock, Larrabee, Murphy, Merrell of Clinton, Perkins, Stoneman, Williams, Wonn, and Wright—13.

So the bill passed and the title was agreed to, and the Senate stood adjourned until 7:25 this evening.

EVENING SESSION.

SEVEN O'CLOCK AND 25 MINUTES.

Senate met pursuant to adjournment, and was called to order by the President.

BILLS ON THIRD READING.

S. F. No. 103, A bill an act appropriating money for the aid and maintenance of the State University.

On the question shall the Senate concur in the House amendments, the yeas were:

Senators Bailey, Bestow, Carr, Cooley, Dashiell, Dows, Dwelle, Gilmore, Harmon, Hebard, Jessup, Kinne, Larrabee, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Mitchell, Newton, Pease, Rothert, Thornburg, Willett, Williams, Wonn, Woolson, and Young—27.

The nays were none.

Absent or not voting:

Senators Arnold, Campbell, Clark, Conaway, Gallup, Graham, Hartsorn, Hersey, Hitchcock, Lovell, McCoid, Merrell of Clinton, Miller of Black Hawk, Murphy, Nichols, Perkins, Ruple, Stoneman, Teale, Wilson, Wood, and Wright—22.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 242, A bill for the relief of the Iowa Home of the Friendless.

JAS. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES.

H. F. No. 23, A bill for an act to provide for the continuation of the work on the additional penitentiary, and to make an appropriation therefor.

Read first and second time.

Senator Rothert, moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Jessup, Kinne, Larrabee, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Wonn, Wood, Wright, and Young—31.

The nays were:

Senator Dashiell, McCoid, Williams, and Woolson—4.

Absent or not voting:

Senators Arnold, Gallup, Graham, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Lovell, Merrell of Clinton, Murphy, Stoneman, Teale, and Wilson—14

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 469, A bill for an act to amend section 431, chapter 10, title 4 of the Code.

JAS. W. LOGAN, *Chief Clerk*.

A committee from the House announced, through their chairman, Mr. Reed, that the House was ready to receive them in joint convention. The Senate proceeded to the hall of the House.

JOINT CONVENTION.

The President of the Senate called the joint convention to order, and stated its object to be to elect a Warden for the Anamosa Penitentiary, Regents for the State University, and trustees for the different State institutions, educational, charitable, and reformatory.

The joint convention then proceeded to the election of Warden.

Mr. Clark of Marion nominated George Martin.

Mr. Shaw of Jones nominated A. E. Martin, of Delaware county, for the same position.

The roll was then called, with the following result:

Whole number of votes cast.....	109
Necessary to a choice.....	55
Of which Ansel E. Martin received.....	80
Of which George Martin received.....	29

Ansel E. Martin having received a majority of all the votes cast, was declared duly elected Warden of the Anamosa Penitentiary.

Those voting for A. E. Martin were:

Messrs. Allen, Bailey, Benton, Bestow, Calvin, Campbell of Audubon, Campbell of Jasper, Carr, Case, Chapman, Clark E. of Johnson, Clark R. of Johnson, Colvin, Conaway, Cooley, Craver, Dashiell, Deweese, Dows, Evans, Fuller, Gear, Gilliland, Gilmore, Giltner, Given, Glendenning, Glover, Graham, Graves, Hall, Hoag, Homer, Horton, Irwin of Lee, Jaqua, Jessup, Johnson of Benton, Johnson of Winneshiek, Lane, Lathrop, McCartney, McCoid, McCune, McHugh, McNeill, Madden of Polk, Maris, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mills, Mitchell, Moffit, Morse of Adams, Morse of Wright, Newton, Norris, Palmer, Proudfoot, Rae, Reed of Howard, Robinson, Rothert, Said, Scott, Shaw, Shepardson, Smith, Stone, Teale, Thornburg, Tice, Underwood, Ure, Willett, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, and Wright—80.

Those voting for George Martin were:

Messrs. Baker, Birchard, Brown, Christy, Clark of Marion, Crawford of Scott, Elliott, Gibbons, Gray, Hobbs, Horstman, Hotchiss, Hunt, Johnston, Kinne, Lynch, McCormack, Madden of Taylor, Maginnis, Mentzel, Mueller, Pease, Reed of Jackson, Rees, Stuart, Stucky, Thayer, White, and Young of Clinton—29.

Senator Dows offered the following:

Joint Resolution providing for certain Regents of the State University, Trustees for the Iowa Agricultural College, Hospital for the Insane at Mt. Pleasant, Asylum for the Blind, Asylum for feeble minded children, Asylum for Deaf and Dumb, Hospital for Insane at Independence, for Reform School, and Iowa Soldiers' Orphans' Home at Davenport.

Be it Resolved by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, That the following named persons are hereby declared duly elected Regents of State University and Trustees of the various State institutions, to wit:

REGENTS OF STATE UNIVERSITY.

C. W. Slagle of Jefferson county; D. N. Richardson of Scott county; Thos. S. Parr of Warren county.

TRUSTEES FOR THE IOWA AGRICULTURAL COLLEGE.

Wm. Blaine of Marion county; Buel Sherman of Chickasaw county.

TRUSTEES FOR THE IOWA HOSPITAL FOR THE INSANE AT MT. PLEASANT.

Samuel Klien, Lee county; C. E. Whiting, Monona county.

TRUSTEES FOR THE IOWA COLLEGE FOR THE BLIND.

Jeremiah S. Gray, Black Hawk county; Samuel H. Watson, Benton county; P. F. Sturgis, Fayette county.

TRUSTEES FOR THE ASYLUM FOR FEEBLE MINDED CHILDREN AT GLENWOOD,
MILLS COUNTY.

Jonathan W. Cattell, Polk county; Andrew J. Russell, Mills county;
J. W. Robertson, Muscatine county.

TRUSTEES FOR ASYLUM FOR DEAF AND DUMB.

Thomas Officer, Pottawattamie county; Nathan P. Dodge, Pottawattamie county.

TRUSTEES FOR THE IOWA SOLDIERS' ORPHANS' HOME AT DAVENPORT.

George Paul, Johnson county; Robert P. Spear, Black Hawk county;
Seth P. Bryant, Scott county.

TRUSTEES FOR HOSPITAL FOR INSANE AT INDEPENDENCE.

E. G. Morgan, Webster county; J. G. House, Buchanan county; S.
E. Robinson, Fayette county.

TRUSTEES FOR THE IOWA REFORM SCHOOLS.

Wm. G. Stuart, Dubuque county; Joseph Moorhead, Linn county.

Those voting for the adoption of the resolution were:

Messrs. Allen, Auld, Bailey, Baker, Benton, Birchard, Calvin, Campbell of Shelby, Campbell of Jasper, Case, Chapman, Christy, Clark R. of Johnson, Cleveland, Colvin, Conaway, Cooley, Craver, Dashiell, Deweese, Dows, Elliott, Evans, Fuller, Gear, Gibbons, Gilmore, Giltner, Given, Glover, Graham, Graves, Gray, Hall, Harmon, Hemenway, Hobbs, Homer, Hunt, Irwin of Lee, Irwin of Warren, Jaqua, Johnson of Benton, Kinne, Lane, McCartney, McCormack, McCune, McHugh, McNeil, Madson, Maginnis, Merrell of Wapello, Miller of Black Hawk, Mills, Mofft, Morse of Adams, Morse of Wright, Norris, Palmer, Pease, Proudfoot, Rae, Reed of Howard, Reed of Jackson, Rees, Robinson, Rothert, Said, Shaw, Stone, Stuart, Thayer, Thornburg, Tice, Underwood, Ure, Williams of Des Moines, Williams of Iowa, Wilson of Jasper, Wright, Young of Cass, and Young of Clinton—83.

Mr. Gilliland voted nay.

The resolution was adopted.

The following certificates were signed in the presence of the joint convention:

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1876, for the purpose of electing a Warden for the Penitentiary at Anamosa, Ansel E. Martin having received a majority of all the votes cast for said office, was declared duly elected Warden for the term of two years from and after the expiration

of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.
JNO. H. GEAR,

ATTEST:

Speaker of the House of Representatives.
JOHN L. MCCORMACK,
Teller of the Senate.
J. K. GRAVES,
Teller of the House of Representatives..

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Regent of the State University, C. W. Slagle having received a majority of all the votes cast for said office, was declared duly elected Regent of said University for the term of six years, from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.
JNO. H. GEAR,

ATTEST:

Speaker of the House of Representatives.
JOHN L. MCCORMACK,
Teller of the Senate.
J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Regent for the State University, D. N. Richardson having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Regent of the State University, Thomas L. Parr having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of six years from and after the expiration of the term of the present incumbent; and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee of the Iowa State Agricultural College and Farm, Buel Sherman having received a majority of all the votes cast for said office, was declared duly elected Trustee of said institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. MCCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee of Iowa State Agricultural College, Wm. Blaine having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. MCCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital for the Insane at Mt. Pleasant, Samuel Klien, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for Iowa Hospital for Insane at Mt. Pleasant, C. E. Whiting, having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A., D. 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa College for the Blind, P. F. Sturges having received a majority of all the votes cast for said office, was declared duly elected trustee of said institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa College for the Blind, at Vinton, S. H. Watson having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a trustee for the Iowa College for the Blind, I. L. Gray having received a majority of all the votes cast for said office, was declared duly elected a Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded Children, O. J. Russell, having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March, 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded children, J. W. Cattell having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, Iowa, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Asylum for Feeble Minded Children, J. H. Robertson having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, Iowa, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Institution for the Deaf and Dumb at Council Bluffs, Nathan P. Dodge having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of four years from and after the expiration of the term of the present

incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JHO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, MARCH 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a trustee for the Institution for the Deaf and Dumb, Thomas Officer having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Soldiers' Orphans' Home, George Paul having received a majority of all the votes cast for said office, was declared duly elected Trustee for said Institution for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate,
JNO. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Soldiers' Orphans' Home, S. P. Bryan, having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.
JNO. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for Iowa Soldiers' Orphans' Home, R. B. Speer, having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. MCCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15th, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital for the Insane, at Independence, S. E. Robinson having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. MCCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1876, for the purpose of electing a trustee for the Iowa Hospital for the Insane, at Independence, E. G. Morgan having received a majority of all the votes cast for said office, was declared duly elected Trustee of said Institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March, 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 15th day of March, A. D., 1876, for the purpose of electing a Trustee for the Iowa Hospital at Independence, J. G. House having received a majority of all the votes cast for said office, was declared duly elected trustee of said institution for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D., 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. L. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1876, for the purpose of electing a Trustee for Iowa Reform School, J. Moorehead having received a majority of all the votes cast for said office, was declared duly elected Trustee of said institution for the term of six years from and after the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1876.

J. G. NEWBOLD,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 15, 1876. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1876, for the purpose of electing a Trustee for the Iowa Reform School, W. G. Stuart, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Reform School for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1876.

J. G. NEWBOLD.
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

JOHN L. McCORMACK,
Teller of the Senate.

J. K. GRAVES,
Teller of the House of Representatives,

On motion of Senator Young, the joint convention dissolved.
At 9:10, P. M., the Senate returned to its chamber.

BILLS ON SECOND READING.

H. F. No. 2, A bill for an act to amend an act entitled an act to amend sections 289 and 290 of the Code of 1873, with the report of the committee recommending its passage, was taken up and considered.

Senator Hebard moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Conaway, Cooley, Dashiell, Dowe, Dwelle, Gilmore, Graham, Hebard, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk,

Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—34.

The nays were:

Senators Campbell, Kinne, McCoid, and Young—4.

Absent or not voting:

Senators Arnold, Clark, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Jessup, Larrabee, Merrell of Clinton, and Stoneman—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has appointed Messrs. Hunt, Hemenway, and Morse of Wright, committee on part of the House to investigate the reported abstraction of the enrolled copy of the Monte bill from the office of the Secretary of State.

JAS. W. LOGAN, *Chief Clerk*.

Senator Murphy moved to reconsider the vote by which H. F. No. 470, A bill for an act to amend section 478 of the Code, relating to the appointments of road supervisors, was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Gilmore, Jessup, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Teale, Thornburg, Willett, Williams, Wonn, Wood, Woolson, and Wright—34.

The nays were:

Senators Campbell, Dashiell, Graham, Kinne, and Young—5.

Absent or not voting:

Senators Arnold, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Merrell of Clinton, Stoneman, and Wilson—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 221, A bill for an act in relation to the Iowa State Historical Society.

J. W. LOGAN, *Chief Clerk*.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and enact a substitute therefor.

Read first and second time.

Senator Rothert moved to suspend the eleventh rule, and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hebard, Jessup, Kinne, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Thornburg, Willet, Williams, Wilson, Wonn, Wood, Wright, and Young—35.

The nays were:

Senators Campbell, Teale, and Woolson—3.

Absent or not voting:

Senators Arnold, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Larrabee, Lovell, Merrell of Clinton, Miller of Appanoose, and Stoneman—11.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator McCoid offered the following resolution, which was adopted:

Resolved, That Mrs. A. P. Smith, postmistress, be required to remain five days after the Senate adjourns, to take care of and return the mail of the members of the General Assembly.

H. F. No. 301, A bill for an act to provide for contesting elections for the relocation of county seats, with the report of the committee recommending a substitute and when adopted it do pass, was taken up and considered.

The substitute was adopted.

Senator Willett moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Cooley, Dashiell, Gilmore, Graham, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Young—33.

The nays were:

Senators Conaway, and Dwelle—2.

Absent or not voting:

Senators Arnold, Dows, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Stoneman and Wright—14.

So the bill passed and the title was agreed to.

H. F. No. 234, A bill for an act to amend section 1381, title 11, chapter 1 of the Code, with the report of the committee recommending its passage, was taken up and considered.

Senator Willett moved to suspend the eleventh rule and read the bill a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dwelle, Gilmore, Graham, Harmon, Hebard, Jessup, Kinne, Larrabee,

Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Wilson, Wood, Woolson, Wright, and Young—86.

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Arnold, Dows, Gallup, Hartshorn, Hersey, Hitchcock, McCoid, Merrell of Clinton, Murphy, Stoneman, Williams, and Wonn—12.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 469, A bill for an act to amend section 431, chapter 10, title 4, of the Code, in relation to cities and incorporated towns.

Read first and second time.

Senator Nichols moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Carr, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hebard, Jessup, Lovell, Maginnis, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Woolson, and Wright—21.

The nays were:

Senators Bestow, Campbell, Kinne, McCoid, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Nichols, Pease, Wonn, and Wood—14.

Absent or not voting:

Senators Arnold, Clark, Dows, Gallup, Harmon, Hartshorn, Hersey, Hitchcock, Larrabee, Merrell of Clinton, Mitchell, Stoneman, Wilson, and Young—14.

So the bill, having failed to receive a constitutional majority, was lost.

H. F. No. 186, A bill to regulate circuses and other public shows, with the report of the committee recommending its passage, was taken up and considered.

Senator Willett moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teal, Thornburg, Willett, Williams, Wilson, Wood, Woolson, and Wright—37.

The nays were none.

Absent or not voting:

Senators Arnold, Gallup, Harmon, Hersey, Hitchcock, McCoid, Merrell of Clinton, Miller of Appanoose, Murphy, Stoneman, Wonn, and Young—12.

So the bill passed, and the title was agreed to.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

Substitute for H. F. Nos. 176, and 354, A bill for an act to provide for laying out cemeteries and authorizing the transfer of lots to be filed and recorded by the township clerk.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code and to enact a substitute.

H. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code in relation to railways.

H. F. No. 494, A bill for an act to amend an act entitled "an act authorizing the auditor of State to adjust revenue, insane, law and other accounts," approved March 3, 1876.

H. F. No. 240, A bill for an act to provide for the organization and support of an asylum at Glenwood in Mills county, for feeble minded children.

H. F. No. 431, A bill for an act to legalize the Farmers' Mutual Fire Insurance Company, of Mitchell county.

Substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriations for the College for the Blind,

H. F. No. 495, A bill for an act making an appropriation to liquidate an indebtedness of the Iowa Reform School.

H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

H. F. No. 459, A bill for an act apportioning the State into Representative districts and declaring the ratio of representation.

H. C. CARR, *Chairman*

MR. PRESIDENT:—The Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Substitute for H. F. Nos. 176 and 354, A bill for an act to provide for laying out cemeteries, and ordering the transfer of lots to be filed and recorded by the Township Clerk.

H. F. No. 497, A bill for an act to repeal section 1158 of the Code and to enact a substitute.

H. F. No. 247, A bill for an act to amend chapter 5, title 10 of the Code in relation to railways.

H. F. No. 494, A bill for an act to amend an act entitled "An act authorizing the Auditor of State to adjust revenue, insane, law, and other accounts," approved March 3, 1876.

H. F. No. 431, A bill for an act to legalize the Farmers' Mutual Fire Insurance Company of Mitchell county.

Substitute for H. F. Nos. 238 and 472, A bill for an act making further appropriations for the College for the Blind.

H. F. No. 495, A bill for an act making an appropriation to liquidate an indebtedness of the Iowa Reform School.

H. F. No. 271, A bill for an act making further appropriations for the Iowa Reform School.

H. F. No. 240, A bill for an act to provide for the organization and support of an Asylum at Glenwood, in Mills county, for feeble minded children.

H. F. No. 459, A bill for an act apportioning the State into Representative Districts, and declaring the ratio of representation.

H. C. CARR, *Chairman*.

Senator Nichols moved to reconsider the vote by which H. F. No. 469 was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Jessup, McCoid, Maginnis, Nichols, Pease, Rothert, Rumble, Teale, Thornburg, Wilson, and Woolson—18.

The nays were:

Senators Bestow, Campbell, Conaway, Hebard, Kinne, Lovell, McCormack, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Willett, Williams, Wood, and Young—15.

Absent or not voting:

Senators Arnold, Carr, Clark, Dows, Gallup, Harmon, Hersey, Hitchcock, Larrabee, Merrell of Clinton, Mitchell, Murphy, Perkins, Stone-
man, Wonn, and Wright—16.

So the bill having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, with amendment:

S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs.

JAS. W. LOGAN, *Chief Clerk*.

HOUSE MESSAGES.

H. F. No. 242, A bill for an act for the relief of the Iowa Home for the Friendless.

Read first and second time.

Senator Cooley moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Hartshorn, Jessup, Kinne, Lovell, Maginnis, Miller of Black Hawk, Mitchell, Murphy, Nichols, Pease, Rothert, Thornburg, Williams, Wonn, and Young—22.

The nays were:

Senators Bailey, Campbell, Dashiell, Gilmore, Graham, Hebard, Larrabee, McCoid, McCormack, Merrill of Wapello, Miller of Appanoose, Newton, Perkins, Willett, Wilson, Wood, Woolson, and Wright—18.

Absent or not voting:

Senators Arnold, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Rumble, Stoneman, and Teale—9.

So the bill having failed to receive a constitutional majority was lost.

REPORT OF COMMITTEE.

Senator Conaway, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

JOHN CONAWAY, *Chairman*.

Ordered passed on file.

Substitute for H. F. No. 221, A bill for an act making an appropriation for the Iowa State Historical Society, and for other purposes in relation to said society.

Read first and second time.

Senator Campbell moved to strike out all of section 1, after the enacting clause.

The motion prevailed.

Senator Kinne moved to indefinitely postpone the bill.

The motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. Nos. 176 and 354, An act to provide for the condemning, surveying, and platting cemeteries, etc.

H. F. No. 497, An act to repeal section 1158 of the Code.

H. F. No. 247, An act to amend chapter 5, title 10 of the Code.

H. F. No. 494, An act to amend an act entitled an act authorizing the Auditor of State to settle and adjust revenue, insane, law and other accounts, approved March 3, 1876.

H. F. No. 431, An act to legalize the Farmer's Mutual Fire Insurance Company of Mitchell county.

H. F. Nos. 238 and 472, An act making further appropriations for the college for the Blind.

H. F. No. 495, An act to make appropriations to liquidate an indebtedness of Iowa Reform School.

H. F. No. 271, An act making further appropriations for the Reform School.

H. F. No. 240, An act to provide for the organization and support of an asylum at Glenwood, in Mills county, Iowa, for feeble minded children.

S. F. No. 97, An act making an appropriation for the Iowa State Agricultural College.

H. F. No. 459, An act apportioning the State into Representative Districts, and declaring the ratio of representation.

S. F. No. 74, An act to provide for establishing superior courts in cities of a certain grade.

J. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES RESUMED.

Joint resolution in relation to land grant to McGregor & Sioux City Railroad, with the report of the committee recommending its passage, was taken up and considered.

Senator Cooley moved to indefinitely postpone the joint resolution.

Senator Bailey moved that the eleventh rule be suspended and the bill read a third time.

The motion was lost.

On motion of Senator Cooley, the joint resolution was laid upon the table.

Senator Rumble, from the Special Committee on S. F. No. 261, submitted the following report:

MR. PRESIDENT:—Your Special Committee to whom was referred S. F. No. 261, A bill for an act to provide for the better security of life and property from the damages of coal and petroleum or kerosene oils, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate without recommendation.

J. N. W. RUMPLE, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

J. W. LOGAN, *Chief Clerk.*

BILLS ON SECOND READING.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code, and to provide for the organization of district townships, was taken up and considered.

Senator Woolson moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Campbell, Clark, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, McCoid, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Nichols, Rother,

Rumple, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—28.

The nays were:

Senators Kinne, Larrabee, Lovell, and Teale—4.

Absent or not voting:

Senators Arnold, Bestow, Carr, Conaway, Gallup, Harmon, Hersey, Hitchcock, Jessup, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Pease, Perkins, Stoneman, and Wood—17.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing, and completion of the buildings of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors.

H. F. No. 234, A bill for an act to amend section 1381, title 11, of the Code.

H. F. No. 2, A bill for an act entitled an act to amend sections 289 and 290, of the Code.

H. F. No. 23, A bill for an act to provide for continuing the work on the additional penitentiary, and to make an appropriation therefor.

H. F. No. 186, A bill for an act to regulate circuses and other shows.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

H. C. CARR, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved by the House, the Senate concurring, That the time heretofore fixed for final adjournment by concurrent resolution be postponed twenty-four hours.

J. W. LOGAN, *Chief Clerk.*

At 11:20 P. M., on motion of Senator Campbell, the Senate took a recess of ten minutes.

At 11:30 P. M. the Senate was called to order by the President.

HOUSE MESSAGES.

Concurrent resolution relative to extending the time of adjournment twenty-four hours.

Senator Murphy moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Carr, Clark, Cooley, Dwelle, Gilmore, Graham, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Rothert, Willett, Wilson, and Wood—21.

The nays were:

Senators Bailey, Campbell, Dashiell, Hartshorn, Hebard, Miller of Black Hawk, Mitchell, Newton, Pease, Rumble, Teale, Thornburg, Williams, Wonn, Woolson, Wright, and Young—17.

Absent or not voting:

Senators Arnold, Bestow, Conaway, Dows, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Nichols, and Stoneman—11.

So the motion prevailed.

Senator Cooley moved to reconsider the vote by which the resolution was laid upon the table, and postpone further discussion of the motion until to-morrow morning at nine o'clock.

Senator Rothert moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Carr, Clark, Dows, Dwelle, Gilmore, Graham, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Rothert, Willett, Wilson, and Wood—21.

The nays were:

Senators Bailey, Campbell, Cooley, Dashiell, Hartshorn, Hebard, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Rumble, Teale, Thornburg, Williams, Wonn, Woolson, Wright, and Young—19.

Absent or not voting:

Senators Arnold, Bestow, Conaway, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, and Stoneman—9.

The motion prevailed.

On motion of Senator Larrabee, all bills in fourth class were indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the accompanying substitute for H. F. No. 273, A bill for an act making appropriation, for the payment of State and judicial officers, and for the purposes hereinafter named, and to amend section 120, of chapter 2 of the Code of Iowa.

JAS. W. LOGAN, *Chief Clerk.*

Senator Campbell moved to adjourn.

The motion was lost.

Senator Larrabee moved that when the Senate adjourn, it adjourn until 8 o'clock to-morrow morning.

The motion prevailed.

House substitute for S. F. No. 273, A bill for an act making an appropriation for the payment of State and judicial officers, and for other purposes hereinafter named, and to amend section 120, chapter 2 of the Code, was taken up, and read first and second time.

Senator Campbell moved to consider the bill by sections.

The motion prevailed.

Pending which, the following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill:

S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," approved April 13th, 1870, and making an additional appropriation for the erection of the capitol building, with an amendment noted in the bill, in which the concurrence of the Senate is asked.

Also, that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolved, That a committee of two be appointed to notify the honorable Senate, that the House will meet the Senate in joint convention at such time as the Senate may fix, to elect Trustees for the Normal and Training School.

JAS. W. LOGAN, *Chief Clerk*.

Senator Rothert moved to amend section 5, by inserting "and for payment of room rent for the Governor \$1200."

The amendment prevailed.

Senator Rothert moved to amend section 11, by inserting "and for the care and transportation of arms, and other expenses of the Quartermaster General's department, the sum of \$1000."

The motion prevailed.

Senator Rothert moved to amend section 31, by inserting "provided the Executive Council shall first approve said bill."

The motion prevailed.

Senator Rothert offered an additional section to the bill.

The section was adopted.

Senator Rothert moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—38.

The nays were:

Senator Campbell—1.

Absent or not voting:

Senators Arnold, Bestow, Dows, Gallup, Harmon, Hersey, Hitchcock, Merrell of Clinton, Stoneman, and Young—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 288, A bill for an act to regulate the practice in the Supreme Court.

Substitute for H. F. No. 256, A bill for an act to amend section 4315 of the Code, relating to accessories after the fact.

H. F. No. 498, A bill for an act providing for the taxation of Mutual Loan and Building Associations.

H. F. No. 387, An act authorizing persons paying money in certain cases for the benefit of others to recover the sum paid from the party receiving the benefit thereof.

H. F. No. 433, A bill for an act providing for the organization of the county of Grimes.

J. W. LOGAN, *Chief Clerk*.

Senators Hebard and Nichols were excused.

BILLS ON THIRD READING.

S. F. No. 239, A bill for an act to amend an act entitled, "An act to provide a State Capitol," approved April 13, 1870, and for making an additional appropriation for the erection of the Capitol building.

On the question, shall the Senate concur in the House amendments, the yeas were:

Senators Bailey, Carr, Clark, Conaway, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Kinne, Maginnis, Mitchell, Newton, Rothert, Thornburg, Williams, Wonn, and Wright—18.

The nays were:

Senators Campbell, Cooley, Dashiell, Dows, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Pease, Perkins, Teale, Willett, Wilson, Wood, Woolson, and Young—19.

Absent or not voting:

Senators Arnold, Bestow, Gallup, Harmon, Hebard, Hersey, Hitchcock, McCormack, Merrell of Clinton, Nichols, Rumple, and Stone—12.

So the Senate refused to concur in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3, of the Code.

JAS. W. LOGAN, *Chief Clerk*.

HOUSE MESSAGES.

H. F. No. 433, A bill for an act providing for the organization of the county of Grimes.

Read first and second time, and passed on file.

H. F. No. 498, A bill for an act providing for the taxation of mutual loan and building associations.

Read first and second time.

Senator Rotherth moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Carr, Clark, Conaway, Cooley, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Larrabee, Lovell, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Pease, Rotherth, Rumble, Thornburg, Williams, Wilson, Wood, Woolson, and Wright—28.

The nays were:

Senators Kinne, McCoid, and Young—3.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Gallup, Harmon, Hebard, Herssey, Hitchcock, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Nichols, Perkins, Stoneman, Teale, Willett, and Wonn—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40 of chapter 3, title 1 of the Code, and to enact a substitute therefor.

J. W. LOGAN, *Chief Clerk.*

Senator Larrabee moved to reconsider the vote by which the Senate, when it adjourned, adjourned to meet at 8 o'clock.

The motion was lost.

On motion of Senator Hartshorn, H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wahkonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Fort Dodge, in the township, county, and State aforesaid, for the year A. D., 1870, was taken up and considered.

Senator Larrabee moved to add to section 1: "Provided, the provisions of this act shall in no manner affect any suit now pending, wherein the legality of such tax is put in issue."

The amendment prevailed.

On motion of Senator Hartshorn, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Campbell, Carr, Clark, Conaway, Cooley, Dashiell,

Dows, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Newton, Pease, Perkins, Rumple, Thornburg, Willett, Williams, Wonn, Wood, Woolson, Wright, and Young—33.

The nays were none:

Absent or not voting:

Senators Arnold, Bestow, Gallup, Harmon, Hebard, Hersey, Hitchcock, McCormack, Merrell of Clinton, Mitchell, Murphy, Nichols, Rothert, Stoneman, Teale, and Wilson,—16.

So the bill passed and the title was agreed to.

On motion of Senator Rumple, H. F. No. 44, A bill for an act to repeal section 591, chapter 1, title 5 of the Code, relating to township officers and to enact a substitute therefor, was taken up, considered and passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

H. F. No. 499, A bill for an act to amend section 796 of the Code, relating to the assessment and levy of taxes.

Also, that the House has receded from its amendment to S. F. No. 239, A bill for an act to amend an act entitled an act to provide for a State Capitol, etc.

I also herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

H. F. No. 234, An act to amend section 1381, title 11, chapter 1 of the Code.

H. F. No. 470, A bill for an act to amend section 978 of the Code.

H. F. No. 266, A bill for an act to repeal section 4763 of the Code.

H. F. No. 186, A bill for an act to regulate circuses and other public shows.

H. F. No. 23, A bill for an act to provide for the continuation of the work on the additional penitentiary, and to make an appropriation therefor.

S. F. No. 108, A bill for an act to provide for commencing the erection of the lateral wing and completion of the building of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

JAS. W. LOGAN, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 103, A bill for an act appropriating money for the aid and maintenance of the State University.

S. F. No. 108, A bill for an act to provide for commencing the erection of the west lateral wing and completion of the building of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

H. F. No. 2, A bill for an act to amend sections 289 and 290 of the Code.

H. F. No. 23, A bill for an act to provide for continuing the work on the additional penitentiary and to make an appropriation therefor.

H. F. No. 186, A bill for an act to regulate circuses and other shows.

H. F. No. 266, A bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

H. F. No. 470, A bill for an act to amend section 978 of the Code, relating to the appointment of road supervisors.

H. F. No. 234, A bill for an act to amend section 1381, title 11, of the Code.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their officers, agents, or employees.

JAS. W. LOGAN, *Chief Clerk*.

RESOLUTION.

Senator Cooley offered the following resolution:

Resolved, That in the opinion of the Senate there is no existing law providing for, or requiring, the election of trustees for a "Normal and Training School," and that this resolution be communicated to the House of Representatives in response to its resolution requesting a joint convention for the election of such trustees.

The resolution was adopted.

Substitute for H. F. No. 367, A bill for an act authorizing persons paying money in certain cases for the benefit of others, to recover the sum so paid from the party receiving the benefit thereof, was taken up and read first and second time.

Senator Wright moved that the eleventh rule be suspended, and the bill read a third time now.

Senator Willett moved to lay the bill on the table.

The motion prevailed.

H. F. No. 499, A bill for an act to amend section 796, and 835 of the Code, relating to the assessment and levy of taxes, was taken up and considered.

Senator Cooley moved to indefinitely postpone the bill.

The motion prevailed.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled.

S. F. No. 140, A bill for an act making further appropriation for the Iowa Hospital for the Insane at Mount Pleasant.

S. F. No. 139, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, Iowa, and to provide for the transportation of discharged convicts.

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

S. F. No. 64, A bill for an act amendatory of section 156, of chapter 4, title 3 of the Code, relating to the publication of the reports of the supreme court.

H. F. No. 498, A bill for an act providing for the taxation of Mutual Loan and Building Associations.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has refused to recede from its amendments to the general appropriation bill, and has appointed Messrs. Danforth, Mills, and Johnston of Dubuque, a committee of conference on the disagreeing vetes thereon, and also, has refused to concur in Senate amendments to the same bill, except the first amendment.

JAS. W. LOGAN, *Chief Clerk*.

The President appointed as a committee of conference on the disagreeing vote of the two Houses on the general appropriation bill:

Senators Clark, Larrabee, and Maginnis.

H. F. No. 283, A bill for an act to regulate the practice in the supreme court.

Read first and second time.

Senator Kinne moved to indefinitely postpone the bill.

Senator Dashiell moved that the bill lay on the table.

On this question the yeas and nays were demanded, and the yeas were:

Senators Bailey, Carr, Conaway, Dashiell, Dwelle, Graham, Jessup, Kinne, Lovell, McCoid, Maginnis, Newton, Pease, Rothert, Teale, Thornburg, Willett, and Young—18.

The nays were:

Senators Dows, Gilmore, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Perkins, Rumple, Williams, Wilson, Woolson, and Wright—12.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Clark, Cooley, Gallup, Harmon,

Hartshorn, Hebard, Hersey, Hitchcock, Larrabee, McCormack, Merrell of Clinton, Mitchell, Nichols, Stoneman, Wonn, and Wood—19.

So the motion to lay upon the table prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 345, A bill for an act to repeal section 288 of the Code, relating to the relocation of county seats, and to enact a substitute therefor.

I am also directed to inform your honorable body that the House has passed the following resolution in which the concurrence of the Senate is asked.

Resolved by the General Assembly of the State of Iowa, That the Superintendent of Public Instruction, cause to be printed and bound in the usual manner, and distribute after adjournment of the Sixteenth General Assembly, a sufficient number of copies of the school laws of Iowa, not to exceed 12,000, to furnish during the next two years one copy thereof to each school district and school officer in the State, not already supplied with a copy of the school laws.

J. W. LOGAN, *Chief Clerk.*

Senator Rothert moved to adjourn.

On this question the yeas and nays were demanded, and the yeas were:

Senators Conaway, Dashiell, Dows, Dwelle, Gilmore, Hartshorn, Jessup, Kinne, Lovell, Miller of Appanoose, Miller of Black Hawk, Newton, Pease, Rothert, Thornburg, Wright, and Young—17.

The nays were:

Senators Bailey, Carr, Clark, Graham, Larrabee, McCoid, Maginnis, Merrill of Wapello, Murphy, Perkins, Rumble, Teale, Willett, Williams, Wilson, Wonn, and Woolson—17.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Cooley, Gallup, Harmon, Hebard, Hersey, Hitchcock, McCormack, Merrell of Clinton, Mitchell, Nichols, Stoneman, and Wood—15.

So the motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 139, An act to provide for the improvement of the Penitentiary at Fort Madison, Iowa.

S. F. No. 140, A bill for an act making further appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

S. F. No. 171, A bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

H. F. No. 498, An act providing for the taxation of Mutual Loan and Building Associations.

S. F. No. 64, A bill for an act amendatory of section 156, chapter 4, title 3 of the Code.

J. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES.

Joint resolution relative to school laws.

Read first and second time.

Senator Woolson moved that the 11th rule be suspended, and the joint resolution read a third time now.

The motion prevailed.

On the question shall the joint resolution pass, the yeas were:

Senators Bailey, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Larrabee, Lovell, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—31.

The nays were none.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Cooley, Gallup, Harmon, Hebard, Hersey, Hitchcock, Kinne, McCoid, McCormack, Merrell of Clinton, Nichols, Rothert, Stoneman, Teale, and Wood—18.

So the joint resolution passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has adopted the report of the conference committee on the disagreeing votes on the general appropriation bill.

JAS. W. LOGAN, *Chief Clerk.*

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses on substitute for S. F. No. 273, beg leave to report that they have met, and after a full and frank conference, beg leave to report the following:

That section 12 be amended by striking out "\$1,000," and inserting "\$600." Strike out of section 37, "\$25," and insert "\$10."

E. CLARK,
WM. LARRABEE,
W. A. MAGINNIS,
On part of Senate.
W. DANFORTH,
T. W. JOHNSTON,
WM. ALLEN,
On part of House.

On the adoption of the report the yeas were:

Senators Bailey, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Kinne, Larrabee, Lovell, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, Willett, Williams, Wonn, Woolson, Wright, and Young—32.

The nays were none.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Cooley, Gallup, Harmon, Hebard, Hersey, Hitchcock, Jessup, McCormack, Merrell of Clinton, Nichols, Stoneman, Teale, Wilson, and Wood—17.

The report of the conference committee was adopted.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval

S. F. No. 139, An act to provide for the improvement of the penitentiary at Fort Madison, Iowa, and to provide for the transportation of discharged convicts,

S. F. No. 140, An act making further appropriation for the Iowa Hospital for the Insane at Mount Pleasant,

S. F. No. 171, An act to establish and maintain a school for the instruction and training of teachers of common schools.

H. F. No. 498, An act providing for the taxation of mutual loan associations.

S. F. No. 64, An act amendatory of section 156, chapter 4, title 3 of the Code, relating to the publication of the reports of the supreme court.

H. C. CARR, *Chairman.*

Substitute for H. F. No. 345, A bill for an act to repeal section 288 of the Code, relating to the relocation of county seats, and to enact a substitute therefor.

Senator Rumble moved that the bill be indefinitely postponed.

The motion was lost.

Senator Murphy moved to commit the bill.

The motion was lost.

The motion to postpone was lost.

Senator Perkins moved that the eleventh rule be suspended and the bill read a third time now, which motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Carr, Clark, Dows, Gilmore, Graham, Hartshorn, Jessup, McCoid, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Murphy, Thornburg, Williams, Wonn, and Wright—17.

The nays were:

Senators Bailey, Dashiell, Dwelle, Larrabee, Lovell, Miller of Appanoose, Newton, Perkins, Rothert, Rumble, Willett, and Wilson—12.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Conaway, Cooley, Gallup, Harmon, Hebard, Hersey, Hitchcock, Kinne, McCormack, Merrell of Clinton, Nichols, Pease, Stoneman, Teale, Wood, Woolson, and Young—20.

The bill having failed to receive a constitutional majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12, of the Code.

H. F. No. 366, A bill for an act in reference to the reports of public officers and institutions, and to provide for printing and distributing public documents, etc.

Also, that the House has passed S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington & Missouri River Railroad Company certain lands, without amendment.

J. W. LOGAN, *Chief Clerk.*

INTRODUCTION OF BILLS.

By leave, Senator Perkins introduced S. F. No. 274, A bill for an act apportioning the State of Iowa into Senatorial Districts.

Read first and second time.

On motion of Senator Perkins, the eleventh rule was suspended, and the bill read a third time.

On the question shall the bill pass, the yeas were:

Senators Bailey, Clark, Conaway, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Teale, Thornburg, Willett, Williams, Wilson, Woolson, Wright, and Young—29.

The nays were:

Senators Carr, Lovell, and Pease—3.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Cooley, Dows, Gallup, Harmon, Hebard, Hersey, Hitchcock, Kinne, McCormack, Merrell of Clinton, Nichols, Stoneman, Wonn, and Wood—17.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 256, A bill for an act to amend section 4315, chapter 17, title 25 of the Code, relating to accessories after the fact, was taken up and read first and second time.

Senator Larrabee moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Clark, Dashiell, Maginnis, Murphy, Rothert, Teale, Thornburg, and Williams—7.

The nays were:

Senators Carr, Conaway, Dwelle, Gilmore, Graham, Larrabee, McCoid, Miller of Appanoose, Mitchell, Newton, Willett, Woolson, Wright, and Young—15.

Absent or not voting:

Senators Arnold, Bailey, Bestow, Campbell, Cooley, Dows, Gallup, Harmon, Hartshorn, Hebard, Hersey, Hitchcock, Jessup, Kinne, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miller of Black Hawk, Nichols, Pease, Perkins, Rumple, Stoneman, Wilson, Wonn, and Wood—27.

So the bill, having failed to receive a constitutional majority, was lost.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State Capitol," approved April 13th, 1870, and for making an additional appropriation for the Capitol building.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their agents and employees.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40, of chapter 3, title 1 of the Code, and to enact a substitute therefor.

Joint resolution relative to publication of school laws.

H. C. CARR, *Chairman*.

Senator Dashiell moved to adjourn.

The motion was lost.

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code, relating to the State University, and to enact a substitute therefor.

Read first and second time.

Senator Clark moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Carr, Clark, Conaway, Dashiell, Dows, Dwelle, Gilmore, Graham, Hartshorn, Jessup, Larrabee, McCoid, Maginnis, Merrell of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—32.

The nays were none.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Cooley, Gallup, Harmon, Hebard, Hersey, Hitchcock, Kiune, Lovell, McCormack, Merrell of Clinton, Nichols, Stoneman, Teale, and Wood—17.

So the bill passed and the title was agreed to.

Senator Clark moved the Senate take a recess of twenty minutes.

The motion prevailed.

Senate called to order.

H. F. No. 366, A bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents, amendatory to chapter 9, title 2 of the Code, relating to the general regulations of the executive department, also of title 8, chapter 1, in relation to the militia, and also of title 12, chapter 3, relating to the Agricultural College.

Read first and second time.

Senator Larrabee moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Clark, Dwelle, Graham, Hartshorn, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Teale, Willett, Williams, Wilson, Wonn, Woolson, and Young—26.

The nays were none.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Carr, Conaway, Cooley, Dash-iell, Dows, Gallup, Gilmore, Harmon, Hebard, Hersey, Hitchcock, Kinne, Lovell, McCormack, Merrell of Clinton, Nichols, Stoneman, Thornburg, Wood, and Wright—23.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 501, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations.

Substitute for H. F. No. 252, A bill for an act to enforce the speedy payment of workmen on works of internal improvements.

I also herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 257, An act to repeal sections 35, 36, 37, 38, 39 and 40, of chapter 3, title 1 of the Code.

S. F. No. 266, An act for the relief of railroad companies, their agents and employees.

S. F. No. 239, An act to amend an act entitled, "An act to provide a State Capitol," etc.

Joint resolution relative to publication of school laws.

JAS. W. LOGAN, *Chief Clerk.*

H. F. No. 501, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations.

Read first and second time.

Senator McCoid moved that the bill be indefinitely postponed.

The motion prevailed.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 239, A bill for an act to amend an act entitled "an act to provide a State capitol," approved April 13, 1870, and for making an additional appropriation for the erection of the capitol building.

S. F. No. 265, A bill for an act for the relief of certain railroad companies, their agents and employees.

S. F. No. 257, A bill for an act to repeal sections 35, 36, 37, 38, 39, and 40, of chapter 3, title 1 of the Code, and to enact a substitute therefor.

Joint resolution relative to the publication of school laws.

H. C. CARR, *Chairman*.

HOUSE MESSAGES RESUMED.

Substitute for H. F. No. 252, A bill for an act to enforce the speedy payment of workmen on works of internal improvements.

Read first and second time.

Senator Teale moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Clark, Dwelle, Hartshorn, Jessup, Maginnis, Mitchell, Murphy, Pease, Perkins, Rothert, Rumble, Teale, Williams, and Young—15.

The nays were:

Senators Carr, Dows, Graham, Larrabee, Miller of Appanoose, Miller of Black Hawk, Newton, Willett, Wilson, Wonn, and Woolson—11.

Absent or not voting:

Senators Arnold, Bestow, Campbell, Conaway, Cooley, Dashiell, Gallup, Gilmore, Harmon, Hebard, Hersey, Hitchcock, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Nichols, Stoneman, Thornburg, Wood, and Wright—23.

So the bill having failed to receive a constitutional majority, was lost. Senator Rothert moved to reconsider the vote by which the Senate when it adjourned, adjourned until 8 o'clock to-morrow morning.

The motion prevailed.

Senator Rothert moved to amend by making it 8:30 A. M.

The motion as amended was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, without amendment:

S. F. No. 274, A bill for an act apportioning the State of Iowa into Senatorial Districts.

J. W. LOGAN, *Chief Clerk.*

On motion of Senator Jessup, the Senate, at 4:55 A. M., adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 16, 1876. }

Senate met pursuant to adjournment, and was called to order by the Secretary.

Senator McCormack was appointed temporary chairman.

Senator Campbell moved that the Senate take a recess of ten minutes.

The motion was adopted.

At the expiration of the time allowed for recess, the Senate was called to order by the President.

Senator McCormack moved that the Senate take a recess of twenty minutes.

The motion prevailed.

The Senate, at the expiration of the recess, was called to order by the President.

On motion of Senator Kinne, the reading of the journal of yesterday was dispensed with.

Senator Murphy offered the following resolution:

Resolved, That we tender to Hon. J. G. Newbold our warmest and heartfelt thanks for the honest, intelligent, and impartial manner in which he has presided over this body.

Resolved, That he is entitled to, and receives the strongest expression of our esteem and respect, and that by his sterling worth, his manly impartiality and his uniform kindness, which he has so often shown towards us, without regard to person or party, is as feelingly felt as it has been generously granted.

The resolution was adopted unanimously by a rising vote.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 256, A bill for an act to repeal section 13, chapter 2, title 1 of the Code.

Also that the House has concurred in Senate amendments to:

H. F. No. 293, A bill for an act legalizing a certain assessment of taxes in Wahkonsa township, Webster county, Iowa.

JAS. W. LOGAN, *Chief Clerk.*

Senator Miller, of Black Hawk, offered the following resolution, which was unanimously adopted:

Resolved, That in further acknowledgement of the efficient services of Lieutenant Governor J. G. Newbold as presiding officer of this body, we request him to take with him the chair he has so acceptably filled, and the gravel he has so impartially handled.

On motion of Senator Wright, H. F. No. 433, A bill for an act providing for the organization of the county of Grimes, was taken up and read first and second time.

Senator Wright offered the following amendments to the bill:

Section 3 be amended by striking out "1877," and inserting "1876."

Section 6 be amended by striking out "1877," and inserting "1876," and by striking out "1878," and inserting "1877."

Section 10 be amended by striking out "1877," and inserting "1876."

Section 11 be amended by striking out "1876," and inserting "1877."

The amendments were adopted.

Senator Young moved to indefinitely postpone the bill.

The motion was lost.

Senator Young moved to strike out of section 12, all relating to the county seat in Center township, and insert "Avoca."

The amendment was lost.

Senator Wright moved that the eleventh rule be suspended and the bill read a third time now.

On this question the yeas and nays were demanded, and the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Dashiell, Gilmore, Hartshorn, Hebard, Hersey, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Murphy, Newton, Pease, Perkins, Rothert, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, and Wright—36.

The nays were:

Senators Graham, and Young—2.

Absent or not voting:

Senators Cooley, Dows, Dwelle, Gallup, Harmon, Hitchcock, McCoid, Merrell of Clinton, Mitchell, Nichols, and Rumble—11.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Bailey, Campbell, Carr, Clark, Conaway, Cooley, Gilmore, Hartshorn, Hebard, Jessup, Kinne, Larrabee, Lovell, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Murphy, Newton, Pease, Perkins, Rothert, Stoneman, Thornburg, Williams, Wilson, Wonn, Wood, Woolson, and Wright—30.

The nays were:

Senators Dashiell, Graham, Willett, and Young—4.

Absent or not voting:

Senators Arnold, Bestow, Dows, Dwelle, Gallup, Harmon, Hersey, Hitchcock, McCoid, Merrell of Clinton, Miller of Appanoose, Mitchell, Nichols, Rumple, and Teale—15.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed S. F. No. 106, A bill for an act to amend sections 1207, 1212 and 1216, of chapter 2, title 10 of the Code, with an amendment, viz: by striking out section 3.

J. W. LOGAN, *Chief Clerk.*

BILLS ON THIRD READING.

S. F. No. 106, A bill for an act to amend sections 1207, 1212 and 1216, chapter 2, title 10 of the Code, was taken up.

On concurring in the first House amendment to the bill, the yeas were:

Senators Dashiell, Hersey, and Woolson—3.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Cooley, Gilmore, Graham, Hartshorn, Hebard, Kinne, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wood, Wright, and Young—31.

Absent or not voting:

Senators Conaway, Dows, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Pease, Rumple, and Wonn—15.

So the Senate refused to concur in the first House amendment.

On concurring in the second House amendment, the yeas were:

Senators Dashiell, and Merrill of Wapello—2.

The nays were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Conaway, Cooley, Gilmore, Graham, Hartshorn, Hersey, Kinne, Lovell, McCoid, McCormack, Maginnis, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Perkins, Rothert, Stoneman, Thornburg, Willett, Williams, Wilson, Wonn, Wood, Woolson, Wright, and Young—34.

Absent or not voting:

Senators Clark, Dows, Dwelle, Gallup, Harmon, Hebard, Hitchcock, Jessup, Larrabee, Merrell of Clinton, Pease, Rumple, and Teale—13.

The Senate refused to concur in the second House amendment.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, without amendment:

S. F. No. 150, A bill for an act to provide for the changing of the names of incorporated towns and villages.

I am also directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 55, A bill for an act to repeal chapter 39 of the public laws of the Fifteenth General Assembly.

J. W. LOGAN, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Committee on Schools: S. F. No. 275, A bill for an act to define who may hold the office of county school superintendent and school director in Iowa.

Read first and second time.

Senator Woolson, moved that the eleventh rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Carr, Clark, Conaway, Cooley, Dashiell, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Hersey, Jessup, Larrabee, McCoid, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Murphy, Newton, Nichols, Pease, Perkins, Rothert, Stoneman, Thornburg, Willett, Williams, Wilson, Wood, Woolson, Wright, and Young—38.

Absent or not voting:

Senators Kinne, Lovell, McCormack, and Teale—4.

The nays were:

Senators Dows, Gallup, Harmon, Hitchcock, Merrell of Clinton, Rumple, and Wonn—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 149, A bill for an act to amend section 900 of chapter 2, title 6, of the Code.

JAS. W. LOGAN, *Chief Clerk.*

Senator Murphy moved to reconsider the vote by which H. F. No. 242, A bill for an act to relieve the "Iowa Home for the Friendless," was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bestow, Carr, Clark, Conaway, Cooley, Dows, Dwelle, Harmon, Hartshorn, Hersey, Kinne, Lovell, Maginnis, Miller of Black Hawk, Mitchell, Murphy, Pease, Rothert, Thornburg, Williams, and Wright—22.

The nays were:

Senators Bailey, Campbell, Dashiell, Gilmore, Graham, Hebard, McCormack, Merrill of Wapello, Miller of Appanoose, Nichols, Stoneman, Teale, Willett, Wood, and Woolson—15.

Absent or not voting:

Senators Gallup, Hitchcock, Jessup, Larrabee, McCoid, Merrell of Clinton, Newton, Perkins, Rumble, Wilson, Wonn, and Young—12.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

I am also instructed to inform your honorable body that the House has receded from its amendments to S. F. No. 106, A bill to amend section 1207, etc.

I am also directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways of the Reform School farm at Salem, Lee county.

JAS. W. LOGAN, *Chief Clerk.*

On motion of Senator Hartshorn, H. F. No. 237, A bill for an act requiring counties to refund taxes voted in aid of construction of railroads since the first day of January, 1868, and to cancel unpaid taxes, with report of committee recommending amendments, was taken up and considered.

On motion of Senator Willett, the bill was indefinitely postponed.

HOUSE MESSAGES.

H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

Read first and second time.

Senator Perkins moved that the eleventh rule be suspended and the bill read a third time now.

The motion prevailed.

On the question, shall the bill pass, the yeas were:

Senators Arnold, Clark, Dows, Gilmore, Hartshorn, Hebard, Hersey, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Black Hawk, Mitchell, Newton, Pease, Perkins, Rothert, Thornburg, Williams, Wilson, Wonn, and Wright—23.

The nays were:

Senators Bailey, Bestow, Campbell, Dashiell, Graham, Lovell, Miller of Appanoose, Nichols, Willett, and Young—10.

Absent or not voting:

Senators Carr, Conaway, Cooley, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Kinne, Merrell of Clinton, Murphy, Rumple, Stoneman, Teale, Wood, and Woolson—16.

The bill having failed to receive a constitutional majority was lost.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code, relating to the State University and to enact a substitute therefor.

H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukonsa township, Webster county, Iowa, for the years 1869, and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Fort Dodge, in the township, county, and State aforesaid for the year A. D., 1870.

H. F. No. 366, A bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents, amendatory of chapter 9, title 2 of the Code, relating to the general regulations of the Executive Department, also of title 12, chapter 3, relating to the Agricultural College.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington and Missouri River Railroad Company, the se $\frac{1}{4}$ of section 13, the ne $\frac{1}{4}$ of the ne $\frac{1}{4}$, and the sw $\frac{1}{4}$ of the ne $\frac{1}{4}$ of section 23, township 70, range 16, in Appanoose county, Iowa.

Substitute for S. F. No. 106, A bill for an act amending sections 1207, 1212, and 1216, chapter 2, title 10 of the Code, in relation to drains, ditches, and water courses.

S. F. No. 275, A bill for an act to define who may hold the offices of county superintendent, and school director, in the State of Iowa.

S. F. No. 274, A bill for an act apportioning the State into senatorial districts.

S. F. No. 273, A bill for an act making an appropriation for the payment of State and judicial officers, and for other purposes hereafter named, and to amend section 120, chapter 2, of the Code of Iowa.

H. C. CARR, *Chairman*.

S. F. No. 149, A bill for an act to amend section 900, of chapter 2, title 6 of the Code, relating to sale of land for taxes, and the interests acquired thereunder, by purchasers of United States, State, municipal, university, agricultural college, swamp and township lands, burial grounds, fair grounds, public squares, public ornamental grounds, and the property of school districts.

S. F. No. 153, A bill for an act to provide for working and keeping in repair the highways on the Reform School Farm, at Salem, Lee county.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with and injury to the property of railroad companies.

Joint resolution in regard to the Home of the Friendless.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise, or some other work of a similar character on county and township officers.

S. F. No. 150, A bill for an act to provide for the changing of the names of incorporated town and villages.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 275, A bill for an act to define who may hold the office of county superintendent and school director in the State of Iowa.

J. W. LOGAN, *Chief Clerk*.

Senator McCoid introduced a joint resolution relative to the Home of the Friendless at Dubuque.

Read first and second time.

Senator Campbell moved that the 11th rule be suspended and the joint resolution read a third time now.

The motion prevailed.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Dashiell, Dows, Gilmore, Graham, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rother, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—36.

The nays were none.

Absent or not voting:

Senators Carr, Conaway, Cooley, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Kinne, Merrell of Clinton, Murphy, Rumble, and Wood—13.

So the joint resolution passed and the title was agreed to.

On motion of Senator Larrabee, all the bills on the files were indefinitely postponed.

HOUSE MESSAGES.

H. F. No. 55, A bill for an act to repeal chapter 39 of the public laws of the Fifteenth General Assembly.

Read first and second time.

Senator Campbell moved to strike out of section 1 the word "shall," and insert "may at their discretion."

The amendment was adopted.

Senator Cooley moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Clark, Cooley, Dows, Gilmore, Hartshorn, Hebard, Hersey, Lovell, Miller of Black Hawk, Rother, Stoneman, Thornburg, Williams, and Wilson—15.

The nays were:

Senators Arnold, Campbell, Dashiell, Graham, McCormack, Mitchell, Newton, Nichols, Pease, Rumble, Teale, Willett, Wonn, Wood, and Young—15.

Absent or not voting:

Senators Bestow, Carr, Conaway, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Kinne, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Woolson, and Wright—19.

The bill having failed to receive a constitutional majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution proposing to amend section 11, article 1, of the constitution of the State of Iowa.

JAS. W. LOGAN, *Chief Clerk*.

RESOLUTIONS.

Senator Larrabee offered the following resolution, which was adopted:

Resolved, That the thanks of the Senate are tendered to the secretary, assistant secretary, clerks, sergeant-at-arms, door-keeper, post-mistress, janitor, messenger boys, paper-folders, and mail-carrier, for the efficient and satisfactory manner in which they have each severally discharged their duties.

HOUSE MESSAGES.

Joint resolution proposing to amend section 11, article 1, of the Constitution of the State of Iowa, was taken up.

Read first and second time.

On motion of Senator Rumble, the joint resolution was laid upon the table.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference with and injury to the property of railroad companies.

Joint resolution in regard to the Home of the Friendless.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise, or some other work of a similar character on county and township officers.

S. F. No. 150, A bill for an act to provide for the changing of the names of incorporated town and villages.

H. C. CARR, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill without amendment:

S. F. No. 275, A bill for an act to define who may hold the office of county superintendent and school director in the State of Iowa.

J. W. LOGAN, *Chief Clerk*.

Senator McCoid introduced a joint resolution relative to the Home of the Friendless at Dubuque.

Read first and second time.

Senator Campbell moved that the 11th rule be suspended and the joint resolution read a third time now.

The motion prevailed.

On the question shall the joint resolution pass, the yeas were:

Senators Arnold, Bailey, Bestow, Campbell, Clark, Dashiell, Dows, Gilmore, Graham, Hartshorn, Hebard, Hersey, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rother, Stoneman, Teale, Thornburg, Willett, Williams, Wilson, Wonn, Woolson, Wright, and Young—36.

The nays were none.

Absent or not voting:

Senators Carr, Conaway, Cooley, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Kinne, Merrell of Clinton, Murphy, Rumple, and Wood—13.

So the joint resolution passed and the title was agreed to.

On motion of Senator Larrabee, all the bills on the files were indefinitely postponed.

HOUSE MESSAGES.

H. F. No. 55, A bill for an act to repeal chapter 39 of the public laws of the Fifteenth General Assembly.

Read first and second time.

Senator Campbell moved to strike out of section 1 the word "shall," and insert "may at their discretion."

The amendment was adopted.

Senator Cooley moved that the 11th rule be suspended, and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Clark, Cooley, Dows, Gilmore, Hartshorn, Hebard, Hersey, Lovell, Miller of Black Hawk, Rothert, Stoneman, Thornburg, Williams, and Wilson—15.

The nays were:

Senators Arnold, Campbell, Dashiell, Graham, McCormack, Mitchell, Newton, Nichols, Pease, Rumble, Teale, Willett, Wonn, Wood, and Young—15.

Absent or not voting:

Senators Bestow, Carr, Conaway, Dwelle, Gallup, Harmon, Hitchcock, Jessup, Kinne, Larrabee, McCoid, Maginnis, Merrell of Clinton, Merrill of Wapello, Miller of Appanoose, Murphy, Perkins, Woolson, and Wright—19.

The bill having failed to receive a constitutional majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution proposing to amend section 11, article 1, of the constitution of the State of Iowa.

JAS. W. LOGAN, *Chief Clerk.*

RESOLUTIONS.

Senator Larrabee offered the following resolution, which was adopted:

Resolved, That the thanks of the Senate are tendered to the secretary, assistant secretary, clerks, sergeant-at-arms, door-keeper, post-mistress, janitor, messenger boys, paper-folders, and mail-carrier, for the efficient and satisfactory manner in which they have each severally discharged their duties.

HOUSE MESSAGES.

Joint resolution proposing to amend section 11, article 1, of the Constitution of the State of Iowa, was taken up.

Read first and second time.

On motion of Senator Rumble, the joint resolution was laid upon the table.

REPORT OF COMMITTEE.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

H. F. No. 165, A bill for an act to legalize the sale of certain lands in Cherokee county.

H. F. No. 334, A bill for an act to legalize the incorporation of the town of Lenox, Taylor county, Iowa.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code of Iowa, and to provide for the organization of district townships.

H. F. No 433, A bill for an act providing for the organization of the county of Grimes.

H. C. CARR, *Chairman.*

Senator Perkins moved to reconsider the vote by which H. F. No. 345, A bill for an act to repeal section 288 of the Code, relating to the relocation of county seats, was lost.

The motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill, without amendment:

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, etc.

J. W. LOGAN, *Chief Clerk.*

Senator Willett moved that a committee be appointed to wait upon the Governor, to notify him that the Senate was ready to adjourn, and ascertain from him if he had anything further to communicate to the Senate.

The motion prevailed.

The President appointed Senators Willett, Bestow, and Clark, such committee.

The committee returned and reported that duty done, and were discharged.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

H. F. No. 334, A bill for an act to legalize the incorporation and ordinances of Lenox, Taylor county, Iowa.

J. W. LOGAN, *Chief Clerk.*

HOUSE MESSAGES.

H. F. No. 334, A bill for an act to legalize the incorporation and ordinances of Lenox, Taylor county, Iowa.

Read first and second time.

Senator Larrabee moved that the 11th rule be suspended and the bill read a third time now.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Bailey, Bestow, Campbell, Clark, Cooley, Dows, Dwelle, Gilmore, Graham, Hartshorn, Hebard, Larrabee, Lovell, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Teale, Wilson, Wonn, Woolson, Wright, and Young—33.

The nays were none.

Absent or not voting:

Senators Arnold, Carr, Conaway, Dashiell, Gallup, Harmon, Hersey, Hitchcock, Jessup, Kinne, Merrell of Clinton, Murphy, Thornburg, Willett, Williams, and Wood—16.

So the bill passed and the title was agreed to.

Senator Rumple moved to reconsider the vote by which H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa, was lost.

The motion prevailed.

On the question shall the bill pass, the yeas were:

Senators Arnold, Bailey, Campbell, Clark, Cooley, Dows, Gilmore, Graham, Hartshorn, Hebard, Larrabee, McCoid, McCormack, Maginnis, Merrill of Wapello, Miller of Appanoose, Miller of Black Hawk, Mitchell, Newton, Nichols, Pease, Perkins, Rothert, Rumple, Stoneman, Thornburg, Williams, Wilson, Wright, and Young—30.

The nays were none.

Absent or not voting:

Senators Bestow, Carr, Conaway, Dashiell, Dwelle, Gallup, Harmon, Hersey, Hitchcock, Jessup, Kinne, Lovell, Merrell of Clinton, Murphy, Teale, Wonn, Wood, Woolson, and Willett—19.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following bills without amendment:

S. F. No. 259, An act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Field's Treatise.

I am also directed to inform your honorable body that the House has passed joint resolution in regard to the Home of the Friendless at Dubuque, Iowa.

I am also directed to inform your honorable body that the House has concurred in the Senate amendments to H. F. No. 157, a bill for an act to organize the county of Grimes.

J. W. LOGAN, *Chief Clerk.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the follow-

ing bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 221, An act to diminish liability to railroad accidents.

Joint resolution in relation to Iowa Home of the Friendless at Du-buque.

S. F. No. 106, An act amending sections 1207, 1212, and 1216, chapter 2, Title 10 of the Code.

S. F. No. 273, An act making an appropriation for the payment of State and judicial officers, etc.

S. F. No. 275, An act to define who may hold the office of County School Superintendent and School Director.

S. F. No. 150, An act to provide for the changes of names of incorporated towns and cities.

S. F. No. 122, An act to enable counties to furnish certain county and township officers with a copy of Field's or other treatise.

S. F. No. 248, A bill for an act authorizing the Auditor of State to negotiate with and purchase from the Burlington and Missouri River Railroad Company, the southeast quarter of section 13, the northeast quarter of the northeast quarter, and the southwest quarter of the northeast quarter, section 23, township 70, range 16, in Appanoose county, Iowa,

S. F. No. 153, An act to provide for working and keeping in repair highways on the Iowa Reform School Farm at Salem.

S. F. No. 274, An act apportioning the State into Senatorial Districts.

S. F. No. 149, An act to amend section 900, of chapter 2, title 6 of the Code.

H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Waukonsa township, Webster county, Iowa, for the years 1869 and 1870, and to legalize levy of taxes within said township.

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code.

H. F. No. 366, A bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents, amendatory of chapter 9, title 11 of the Code.

H. F. No. 433, An act providing for the organization of the county of Grimes.

J. W. LOGAN, *Chief Clerk.*

Committee from the House appeared before the bar of the Senate and announced that the House had concluded its business and was ready to adjourn, and asked for the appointment of a committee on the part of the Senate to wait upon the Governor to notify him that the Sixteenth General Assembly was ready to adjourn.

Senator Clark moved that a committee be appointed to accompany the House committee to wait upon the Governor, and also to notify the House that the Senate was ready to adjourn.

The motion prevailed.

The President appointed as such committee Senators Clark and Woolson.

The committee returned and reported that duty performed, and were discharged.

Senator Carr, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 165, A bill for an act to legalize the sale of certain lands in Cherokee county.

H. F. No. 334, A bill for an act to legalize the incorporation of the town of Lenox, Taylor county, Iowa.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code of Iowa, and to provide for the organization of district townships.

H. F. No. 433, A bill for an act providing for the organization of the county of Grimes.

MR. PRESIDENT:—The Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

S. F. No. 150, A bill for an act to provide for the changing of the names of unincorporated towns and villages.

S. F. No. 122, A bill for an act to enable counties to furnish certain county and township officers with a copy of Fields' Treatise or such other work of similar character on county and township officers.

Joint resolution relating to the Home of the Friendless at Dubuque.

S. F. No. 221, A bill for an act to diminish liability to railroad accidents, and to punish interference and injury to the property of railroad companies.

H. F. No. 165, A bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

S. F. No. 259, A bill for an act to amend sections 1815, 1816, 1817, 1818, 1819, and 1820, chapter 9, title 12 of the Code.

H. F. No. 334, A bill for an act to legalize the incorporation and ordinances of the town of Lenox, Taylor county, Iowa.

H. F. No. 211, A bill for an act to repeal section 1587, chapter 2, title 12 of the Code, relating to the State University, and to enact a substitute therefor.

H. F. No. 293, A bill for an act to legalize the assessment of property for taxation in Wahkonsa township, Webster county, Iowa, for the years 1869, and 1870, and to legalize the levy of taxes within said township, and within the corporate limits of the city of Fort Dodge, in the township, county, and State aforesaid for the year, A. D., 1870.

H. F. No. 366, A bill for an act in relation to the reports of public officers, and institutions, and to provide for printing and distributing public documents, amendatory of chapter 9, title 11 of the Code, relating to the general regulations of the Executive Department; also, of title 8, chapter 1, in relation to the militia; and also, of title 12, chapter 3, relating to the Agricultural College.

S. F. No. 106, A bill for an act amending sections 1207, 1212, and 1216, chapter 2, title 10 of the Code, in relation to drains, ditches, and water courses.

H. C. CARR, *Chairman*.

At 10 o'clock A. M., the President adjourned the Senate of the Sixteenth General Assembly without date.

ATTEST:

J. A. T. HULL, *Secretary*.



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